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JOURNAL
OF
THE HOUSE OF REPRESENTATIVES
OF THE
STATE OF MICHIGAN.
1887.

Printed by virtue of an Act of the Legislature, under the direction
and supervision of

DANIEL L. CROSSMAN,

CLERK OF THE HOUSE OF REPRESENTATIVES.

IN THREE VOLUMES.—VOL. II.



BY AUTHORITY.

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LANSING, MICH.
THORP AND GODFREY, STATE PRINTERS AND BINDERS.
1887.

It will be remembered that when Gen. Robertson assumed the duties of this office it was no idle thing to be the Adjutant General of the State of Michigan. The terrors of a civil war were upon us, and Michigan was girding on her sword to take part in the struggle, and, in consequence, the work and duties of the office were vastly multiplied. But through faithfulness in the discharge of every duty, and faithfulness in looking after every detail, the brave old general maintained the honor and dignity of Michigan among the sisterhood of States, and it is largely due to him that the fame of Michigan's soldiers has gone down to history with a lustre and glory undimmed.

Again the lesson of honesty and integrity is emphatically taught in the life of Gen. Robertson. He considered it worth far more to him to be known by his countrymen as an honest man, in every position he was called to fill, than by intrigue to attain a higher position. And it seems to me that in this age of bickerings and strife, we ought to call a halt and seriously contemplate this grand lesson, for after all the record of an honest life shines forth as a brilliant star amid the fog and smoke of deception and intrigue, and sooner or latter is sure to win and command the respect of all right thinking men.

And I hope that the young men of this generation, who are now taking the places of their fathers and assuming the duties of guiding the old ship of state across the stormy waters of the future, will receive into their hearts and minds these lessons taught us in the noble life so recently ended. The possibilities that are before our young men are emphasized in the life of Gen. Robertson.

His earnest attention to the duties that came to hand every day, the honest discharge of every responsibility as it presented itself, were but the parts of a grand whole—the parts that went to make up the fullness of his grand life. And this fact in itself is a standing rebuke to those who seek by one bound to pass from obscurity to fame; for ability, talent, and genius go for naught without hard work. It is work, and work alone, that accomplishes what he accomplished during the years of his grand life.

Now these possibilities are before the young men of this age, and we can but hope that these lessons will impress themselves upon them, and that they will remember that the royal road to fame and honor is to be traveled step by step; and now as we to-day mourn the departure of Gen. Robertson, let us thank God that the world and our State has been blessed by such a grand, noble, and useful life as was his; and may we be enabled to copy his virtues, and become better men and citizens of this great republic.

Eloquent and fitting remarks were also made by Senators Giddings and Palmer; the remarks being extemporaneous, copy for the same could not be furnished.

President *pro tem.* Monroe, from his place in the chair, called attention to the fact that General Robertson had been a man whose actions "spoke louder than words;" that while the first five or six years of his twenty-six years' of service to the State had been intensely active in recruiting, equipping and sending men to the front, while the rebellion lasted, the years' service have been spent in the quiet of office work, and his records are models of completeness, accuracy, and neatness. The works to which attention is specially called are:

His "History of Michigan during the Rebellion," as found in the Red Book of Michigan, a most valuable contribution;

"The flags of Michigan," which is a gem of a compilation, treating of the seal and flag of the United States, the seal and flag of Michigan, the many flags of the different Michigan regiments, and extracts from the presentation speeches, brief statements of the regiments, when mustered in and when mustered out and when they returned to the State, also some 800 occasions when Michigan men defended the flag, giving places and dates;

"The Roll of Honor," which has been mentioned in the biographical sketch, resolutions and remarks of members, was his gift-offering to the memory of the 357 officers and 14,446 privates who died in defence of the flag—a work of immense value, costing hours and days of indefatigable and painstaking labor to gather and compile.

Of his first edition of "Michigan in the War," only 1,500 were published, which were distributed as public documents. In 1881, at his urgent request, the Legislature ordered the publication of a second edition of 30,000, to be distributed to all honorably discharged soldiers, sailors, and marines. The value of the second edition was greatly enhanced by the addition of a brief history of the war of 1812-13, the Black Hawk war, the Toledo war, and the Mexican war.

His brief "Military History of Michigan as a Territory and a State," was among the most important and valuable papers delivered at the late semi-centennial celebration of the admission of the State into the Union. The many extracts of poetry, and the frequent complimentary mention of the services and sacrifices of the noble women of Michigan in the late civil war, show that the stern soldier had a tender and sympathetic side. The love of his childhood, Scottish home, is also shown by frequent allusions to his native land.

Attention is also called to the full "alphabetical indexes," recently completed under his supervision, making a great saving in referring to any one of the 90,000 enlisted men.

In closing Mr. Monroe said: "Adjutant General Jno. Robertson was a sturdy, bold, and liberty-loving Scotchman, who came to us from over the sea. He honored his adopted State in his life and works; hence it is meet and proper that we should pause to-day and honor his memory."

The question being on the adoption of the resolutions reported by the committee,

The resolutions were then adopted by an unanimous rising vote.

On motion of Senator J. W. Babcock,

It was ordered that the several addresses in support of the resolution be spread at large on the journal.

On motion of Senator J. W. Babcock,

The joint convention then, as a further mark of respect to the eminent deceased, adjourned.

LEWIS M. MILLER, *Secretary of the Senate,*
DANIEL L. CROSSMAN, *Clerk of the House,*
And Secretaries of the Joint Convention.

The Senate having retired,

The House was called to order by the Speaker.

Roll called: quorum present.

The Speaker announced that the Senate and House had met in joint convention and had adopted resolutions in memory of the late Brigadier General John Robertson, and that the proceedings of the joint convention will appear in the journal of this date.

Mr. Damon moved that 1,000 extra copies of the Journal of this date be printed for the use of the House,

Which motion prevailed.

Mr. Webber moved that the House take a recess until 7:30 this evening,

Which motion did not prevail.

On motion of Mr. Oviatt,

The House adjourned.

In Memory

OF

Gen. John Robertson

Of Detroit,

Born January 2, 1814,

In Portsoy, Banffshire, Scotland.

Adjutant General of Michigan continuously
from March 15, 1861, to his death.

Died March 19, 1887.

Commemoration Service in Joint Convention,
Hall of the House, March 22, 1887.

Lansing, Wednesday, March 23, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Franklin.

Roll called: quorum present.

Absent without leave: Messrs. Cross, Douglass, Goodrich and T. H. Williams.

On motion of Mr. Watts,

Leave of absence was granted to Mr. T. H. Williams indefinitely on account of sickness.

On motion of Mr. Simpson,

Leave of absence was granted to Messrs. Cross, Douglass and Goodrich indefinitely on account of duties connected with the House.

PRESENTATION OF PETITIONS.

No. 626. By Mr. Perkins: Petition of Horace Todd and 200 others, relative to the alteration of the boundary line of St. Ignace city.

Referred to the committee on municipal corporations.

No. 627. By Mr. Rumsey: Petition of citizens of Lansing relative to the tenure of Catholic church property.

On demand of Mr. Rumsey,

The petition was read at length, and spread at large on the journal, as follows:

We, the undersigned citizens of Lansing, ask your honorable body not to interfere unduly with the tenure of Catholic church property.

Referred to the committee on religious and benevolent societies.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 895, entitled

A bill to provide for the purchase of additional land for the use of the State public school,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

House bill No. 31, entitled

"A bill to carry into effect sec. 12 of article 15 of the constitution, relative to the holding of real estate by corporations,"

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

R. D. O'KEEFE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr.

The House concurred in the adoption of the substitute reported by committee.

The bill was then ordered printed for the use of the committee.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 70 (file No. 119), entitled

A bill authorizing the board of trustees of the Northern Michigan asylum for the insane to purchase certain lands for the use and benefit of said asylum, and making an appropriation for the payment thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and asked to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

House bill No. 664, entitled

A bill to detach certain territory from school district No. 1 of Hancock, in the county of Houghton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. W. Williams,

The bill was laid on the table.

By the committee on public lands:

The committee on public lands, to whom was referred

House bill No. 388, entitled

A bill to carry into effect section 12 of article 15 of the constitution, relative to the holding of real estate by corporations,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be printed for the use of the committee.

R. D. O'KEEFE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, for the use of the committee.

By the committee on private corporations:

The committee on private corporations, to whom was referred

House bill No. 318, entitled

A bill to amend sections 1, 4, 10 and 12 of act No. 2132 of the public acts of 1885, approved June 20, 1885, entitled "An act to revise the laws providing for the incorporation of all manufacturing companies, etc.,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. H. HUNT, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

House bill No. 317, entitled

A bill to detach certain territory from school districts No. 1 and No. 2 of the township of Echo, county of Antrim, and to organize and incorporate the same into a school district, to be known and designated as school district No. 5, in the said township of Echo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Dougherty,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Manly,	Mr. Spencer,
Allen,	Dickson,	McCormick,	Stuart,
Anderson,	Dillon,	McGregor,	Thompson,
Ashton,	Dougherty,	O'Keefe,	Tindall,
Baker, S.,	Dunbar,	Pardee,	Van Orthwick,
Baker, W. A.	Eldred,	Perkins,	Vickary,
Bardwell,	Engleman,	Petitt,	Vroman,
Beecher,	Harper,	Pierce,	Washburn,
Bettinger,	Haskin,	Powers,	Watson, H.,
Bentley,	Hoaglin,	Reader,	Watts,
Breen,	Hoobler,	Rentz,	Webber,
Brock,	Hunt,	Robinson, J. W	Wellman,
Burr,	Jones,	Robinson, R.	Williams, W. W
Cady,	Killean,	Rounsville,	Wilson,
Chamberlain,	Kirby,	Rumsey,	Wood,
Chapell,	Linton,	Simpson,	Speaker, 64

NAYS.

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Title agreed to.

On motion of Mr. Dougherty,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 429, entitled

A bill to detach certain territory from graded school district No. 4, of Evergreen, Sidney, Bushnell and Fairplains, and from primary districts Nos. 1 and 5, of Sidney, and from fractional No. 6, of Evergreen and Sidney, in the county of Montcalm, and erect the same into a primary school district, and to provide for election of officers for said district,

Respectfully report that in compliance with a resolution of the House of the 22d inst. it returns the same to the House.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was left to the consideration of the committee on education.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following:

House bill No. 175 (file No. 72), entitled

An act to authorize the Ingham County Agricultural Society to sell or mortgage its real estate for the purpose of paying its indebtedness.

Also,

House bill No. 182 (file No. 112), entitled

An act to amend section 17 of act number 34, of the public acts of 1885, entitled, "An act to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same.

Also,

House bill No. 4 (file No. 58), entitled

An act to amend section 25, of act number 147, of the public acts of 1877, entitled "An act to revise and amend sections, 11, 13, 19, and 21, of an act entitled 'An act to provide for a municipal court in the city of Grand Rapids, to be called the "superior court of Grand Rapids,"' being act number 49, of the session laws of 1875, approved March 24, 1875, and to add six new sections to the act to stand as sections 24, 25, 26, 27, 28, and 29.

Also,

House bill No. 214 (file No. 105), entitled

An act to provide for the publication of the proceedings of the Michigan Dairyman's Association.

Also,

House bill No. 401 (manuscript), entitled

An act to authorize the township of St. Joseph, in Berrien, county, to borrow money to be used in the construction of a new bridge across the St. Joseph river, in said township, on the highway leading from the village of St. Joseph to the village of Benton Harbor, including the approaches thereto, and to issue bonds therefor.

ROBERT Y. OGG, *Chairman.*

Report accepted.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,
Lansing, March 23, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State,

[House bill No. 795, (file No. 169), being]

An act to amend and revise an act entitled "An act to incorporate the city of Marshall," being act No. 159 of the laws of 1859, approved February 14, 1859, as amended by the several acts amendatory thereof.

Also,

[House bill No. 336 being]

An act to amend section 3 of an act entitled "An act to revise an act to incorporate the city of Bay City, approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof," approved March 30, 1881.

C. G. LUCE, *Governor.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, March 22, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 293 (file No. 132), entitled

A bill to provide for the completion of biographical and historical work commenced by the semi-centennial commission,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 22, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 255 (file No. 134), entitled

A bill to amend sections 5 and 6 of act No. 310 of the local acts of 1877, approved April 21, 1877, being an act entitled "An act to regulate the time for holding the annual meeting and the manner of electing trustees in union school district No. 1 of the city of Jackson, and to repeal section 2 of act 340 of the session laws of 1875," approved April 22, 1875,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take

immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on education.

MOTIONS AND RESOLUTIONS.

Mr. S. Baker moved to take from the table

House bill No. 222 (file No. 197), entitled

A bill to amend section 9 of act 148, session laws of 1885, entitled "An act to establish a State House of Correction and a branch of the State Prison in the Upper Peninsula, and to provide for the location and erection thereof and making an appropriation therefor.

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Killeen,	Mr. Simpson,
Allen,	Cole,	Kirby,	Spencer,
Ashton,	Damon,	Manly,	Stuart,
Baker, S.,	Dickson,	McCormick,	Thompson,
Baker, W. A.,	Dillon,	McGregor,	Tindall,
Bardwell,	Dougherty.	Ogg,	VanOrthwick,
Bates,	Dunbar,	O'Keefe,	Vickary,
Beecher,	Eldred,	Perkins,	Wroman,
Bettinger,	Engleman,	Pettit,	Watson, H.,
Bentley,	Grenell,	Preston,	Watts,
Breen,	Harper,	Reader,	Webber,
Burr,	Hoaglin,	Rentz,	Wellman,
Cady,	Hoobler,	Robinson, J. W.	Williams, W. W
Case,	Houk,	Robinson, R.	Wood,
Chamberlain,	Hunt,	Rumsey,	Speaker,
Chapell,	Jones,		62

NAYS.

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Title agreed to.

On motion of Mr. W. W. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Chapman moved to take from the table,

House bill No. 876, entitled

A bill to amend compiler's section 673 of chapter 19 of Howell's annotated statutes, relative to the time and manner in which cattle, horses, swine, sheep and other animals shall be restrained from going at large in highways.

Which motion prevailed.

On motion of Mr. Chapman,

The bill was referred to the committee on agriculture.

Mr. Bates offered the following:

Resolved, That Mr. Hill, the engineer, be, and he is hereby instructed to furnish the windows in the gallery of Representative Hall with curtains after the pattern of those now in use in the lower part of the hall.

Which was adopted.

UNFINISHED BUSINESS.

Being the consideration of the following:

Senate amendments to

House bill No. 693 (file No. 210), entitled

A bill to amend section 1 of act No. 38 of the session laws of 1883, being "An act to provide for adjustment of rights and liabilities on division of territory of cities and townships,"

Which had been reported as follows:

1. By striking out of line 2 of section 1 the words "session laws," and inserting in lieu thereof the words "public acts."

2. By striking out of line 2 of section 1, the word "being," and inserting in lieu thereof the word "entitled."

3. By inserting in line 3 of section 1, after the word "townships," the words "approved April 21, 1883."

And further to inform the House that the Senate has amended the title to the bill as follows:

1. By striking out of line 1 the words "session laws," and inserting in lieu thereof the words "public acts."

2. By striking out of line 1 the word "being," and inserting in lieu thereof the word "entitled."

3. By adding to the end thereof the words "approved April 21, 1883."

The question then being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Chapell,

The bill was laid on the table.

GENERAL ORDER.

On motion of Mr. Hoaglin,

The House went into committee of the whole on the general order.

Whereupon the Speaker called Mr. Eldred to the chair.

After some time spent therein the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following:

1. House bill No. 475 (file No. 218), entitled

A bill requiring all patent rights or patent deeds to be registered in each county in the State before offering the same for sale therein;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled:

2. House bill No. 578 (file No. 214), entitled

A bill to prevent the destruction of fish in Pine Lake, lying within the townships of Jefferson and Howard, in Cass county.

Have made no amendments thereto and have directed their chairman to report the same back to the House, and recommend its passage.

A. D. ELDRED, *Chairman*.

Report accepted and committee discharged.

The question being on concurring in the action of the committee in striking out all after the enacting clause of the first named bill,

On motion of Mr. Haskins,

The bill was referred to the committee on judiciary.

The second named bill was placed on the order of third reading.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, March 22, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 199 (file No. 109), entitled

A bill to amend section 22 of act No. 182 session laws of 1885, entitled "An act to provide for the appointment of a State live stock sanitary commission and a State veterinarian, and to prescribe their powers and duties and to prevent and suppress contagious and infectious diseases among the live stock of the State,"

And to inform the House that the Senate has amended the same as follows, viz:

By striking out of line 1 of section 22 the words "nothing in the provisions of," and inserting at the end of the line the words "and horses."

In the passage of which as thus amended the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules, Mr. Abbott moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Abbott,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Kirby,	Mr. Rounsville,
Allen,	Cole,	Lincoln	Simpson,
Anderson,	Damon,	Manly,	Spencer,
Ashton,	Dickson,	McCormick,	Stuart,
Baker, S,	Dillon,	McGregor,	Thompson,
Baker, W. A.	Dougherty,	Mulvey,	VanOrthwick,
Bardwell	Dunbar,	O'Keefe,	Vroman,
Bates,	Eldred,	Perkins,	Watson, H.,

Mr. Beecher,	Mr. Engleman,	Mr. Pettit,	Mr. Watts,
Bettinger,	Harper,	Pierce,	Webber,
Bentley,	Haskin,	Powers,	Wellman,
Breen,	Hoaglin,	Preston,	Williams, W.W.
Burr,	Hosford,	Reader,	Wilson,
Cady,	Hunt,	Robinson, J. W	Wood,
Chamberlain,	Jones,	Robinson, R.,	Speaker,
Chapell,	Killeen,	Rogers,	63

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On motion of Mr. Abbott,
By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was referred to the committee on engrossment and enrollment for enrollment.

On motion of Mr. Simpson,
The House adjourned.

Lansing, Thursday, March 24, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Riley.

Roll called: quorum present.

Absent without leave: Messrs. Hunt, Dillon and Snow.

On motion of Mr. W. W. Williams,

Leave of absence was granted to Mr. Hunt for the day.

On motion of Mr. W. W. Williams,

Leave of absence was granted to Mr. Dillon for the day.

On motion of Mr. Webber,

Leave of absence was granted to Mr. Pardee indefinitely on account of sickness.

On motion of Mr. Dakin,

Leave of absence was granted to Mr. Snow for the day.

PRESENTATION OF PETITIONS.

No. 628. By Mr. Hoaglin: Petition of C. T. Gorham, N. J. Fink, J. F. Garwood and 35 other citizens of Marshall, Calhoun county, asking for the passage of House bill No. 510.

Referred to the committee on fisheries.

No. 629. By Mr. Cady: Petition for the passage of House bill No. 510.

Referred to the committee on fisheries.

No. 630. By Mr. Spencer: Petition of L. C. Merritt, James O. Dubois, and 103 others for the passage of House bill No. 236 relative to the building of important bridges by counties.

Referred to the committee on roads and bridges.

No. 631. Petition of T. J. Norris, C. K. Eddy & Son and 147 others remonstrating against the passage of any bill that will detach from the township of Carrollton, Saginaw county, any territory for the purpose of attaching the same to Saginaw City, East Saginaw or other townships,

Referred to the committee on municipal corporations.

No. 632. By Mr. Ogg: Petition for the passage of the Ogg convict labor bill.

On demand of Mr. Ogg,

The petition was read at length, and spread at large on the journal as follows:

To the Senate and House of Representatives, Assembled at Lansing:

GENTLEMEN—We, T. V. Powderly Assembly No. 7606, K. of L., do hereby petition your honorable body to enact the bill introduced by Representative Ogg under title “bill abolishing convict contract labor.” Believing the present system injurious to the welfare of the working classes, and benefitting only a few contractors.

For the adoption of the bill we will ever pray.

A. F. DIERKES, M. W.

A. BUSCH, R. S.

T. V. Powderly Assembly No. 7606, K. of L., Detroit, March 3, 1887.

Referred to the committee on labor interests.

No. 633. By Mr. Hoaglin: Resolutions of E. W. Hollingsworth Post No. 210, G. A. R., relative to a hospital at the Soldiers' Home.

On demand of Mr. Hoaglin,

The resolutions were read at length and spread at large on the journal, as follows:

Albion, Mich., March 22, 1887.

Resolution offered and unanimously passed.

Be it resolved, That E. W. Hollingsworth Post 210, G. A. R., Department of Michigan, most respectfully ask the Legislature of the State of Michigan to appropriate a sum of not less than eighteen thousand (\$18,000.00) dollars to build a hospital at and for the Soldiers' Home at Grand Rapids, Michigan.

A. B. CALKINS, *Adjutant*.

Referred to the committee on ways and means.

Mr. Dakin moved that a respectful message be sent to the Senate asking the return to the House of

House bill No. 667, entitled

A bill to amend sections 3 and 7, of title 1; sections 2, 21 and 38, of title two; sections 2 and 10, of title 3, sections 4, 9, 11, 12, 13, 18, 19, of title 5, and to enact and add a new section to be known as section 55 to title 5, of an act entitled, “An act to revise and amend the charter of the city of Saginaw, and to repeal act number 496 of the laws of 1867, entitled, ‘An act to amend an act entitled An act to revise and amend the charter of the city of Saginaw.’” approved February 5, 1859, being act number 227, of the laws of 1883, approved March 16, 1883, and section 5, of title 1, of said act, as amended by section 1 of an act entitled, “An act to amend act number 227, of the laws of 1883, entitled, An act to revise and amend the charter of the city of Saginaw, and to repeal act number 496, of the laws of 1867, entitled, An act to amend an act entitled An act to revise and amend

the charter of the city of Saginaw," approved February 5, 1859, approved March 16, 1873, being act number 338, of the laws of 1885, approved April 29, 1885.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 888, entitled

A bill to change the termination of the fiscal year of the State from September 30 to June 13,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

House bill No. 857, entitled

A bill to change the boundaries of school district number 1, in the township of Fayette, and fraction school district number 12, in the townships of Adams, Moscow, and Fayette, in the county of Hillsdale,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. W. Williams,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

2. House bill No. 595 (manuscript), entitled

An act to repeal act No. 200 of the local acts of the State of Michigan of 1850, being an act entitled An act to vacate the south half of block No. 6, in the village of Lawrence, in the county of Van Buren.

Also,

House bill No. 73 (file No. 11), entitled

An act to file the qualifications of deputy sheriffs and under sheriffs to be hereafter appointed in this State.

Also:

House bill No. 109 (file No. 94), entitled

An act to facilitate the disposal and settlement of taxes on vacant or part-paid swamp, school and other State lands.

Also,

House bill No. 558 (manuscript), entitled

An act to designate the place for holding the township meetings and elections for the township of Midland in Midland county.

Also,

House bill No. 594 (manuscript), entitled

An act to repeal act No. 306 of the local acts of the State of Michigan of 1850, being an act entitled an act to incorporate the Lawrence Literary Institute Association,

ROBERT Y. OGG, *Chairman*.

Report accepted.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 795 (file No. 169), entitled

An act to amend and revise an act entitled, "An act to incorporate the city of Marshall," being act number 159, of the laws of 1859, approved February 14, 1859, as amended by the several acts amendatory and revisionary thereof.

Also,

House bill No. 336, (manuscript), entitled

An act to amend section 3 of an act entitled an "Act to revise an act to incorporate the city of Bay City, approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof," approved March 30, 1881.

ROBERT Y. OGG, *Chairman*.

Report accepted.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 475 (file No. 218), entitled

A bill requiring all patent rights or patent deeds to be registered in each county in the State before offering the same for sale therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Haskins,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 53 (file No. 117), entitled

A bill to amend section 28 of chapter 178 of the compiled laws of 1871, being compiler's section 6841 of Howell's annotated statutes of Michigan, relative to courts held by justices of the peace,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amend-

ment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 253, entitled

A bill to amend section 124 of act No. 99 of the public acts of 1881, entitled "An act to amend section 124 of an act to entitled 'An act to amend chapter 93 of the revised statutes of 1846, 'of courts of justices of the peace,'"

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House without amendment and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hoaglin,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 782, entitled

A bill to extend and regulate the liability of employers to make compensation for personal injuries suffered by workmen in their service,

Respectfully report the same back to the House, and ask that it be printed for the use of the committee.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The bill was ordered printed for the use of the committee.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 371, entitled

A bill to regulate the trial of actions for damages arising from negligence,

Respectfully report the same back to the House and ask that it be printed for the use of the committee.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The bill was ordered printed for the use of the committee.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill 549, entitled

A bill to change the boundaries of certain school districts in the township of Standish, in Arenac county and State of Michigan, to organize a graded school therein, and to define the powers and duties of its officers,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to organize a school district and to create a graded school in the township of Standish, county of Arenac, and the township of Pinconning, county of Bay, State of Michigan, and to establish the boundaries of school districts rendered necessary by the organization of such districts,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. B. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoobler,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Hoobler,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was placed on its immediate passage.

YEAS.

Mr. Allen,	Mr. Dickson,	Mr. Manly,	Mr. Simpson,
Ashton,	Dougherty,	McCormick,	Spencer,
Baker, S.,	Dunbar,	McKie,	Stuart,
Baker, W. A.,	Eldred,	McMillan,	Thompson,
Baldwin,	Engleman,	Mulvey,	Tindall,
Bardwell,	Green,	Ogg,	Van Orthwick,
Baumgardner,	Grenell,	O'Keefe,	Vickary,
Beecher,	Harper,	Oviatt,	Vroman,
Bettinger,	Haskin,	Perkins,	Washburn,
Bentley,	Hill,	Pettit,	Watson, F.H.,
Breen,	Hoaglin,	Pierce,	Watson, H.,
Brock,	Holt,	Powers,	Watts,
Canon,	Hosford,	Preston,	Webber,
Case,	Kirby,	Rentz,	Wellman,
Chamberlain,	Lakey,	Robinson R.,	Williams, W.W
Chapman,	Lincoln,	Rogers,	Wilson,
Cole,	Linton,	Rounsville,	Wood,
Crocker,	Makelim,	Rumsey,	Speaker,
Damon,			

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Title agreed to.

On motion of Mr. Hoobler,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on public health:

The committee on public health, to whom was referred

House bill No. 357, entitled

A bill pertaining to the care, preparation, and disposition of the dead, and to insure the better education of funeral directors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. H. BARDWELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on manufacturers:

The committee on manufacturers, to whom was referred

House bill No. 432, entitled

A bill to provide for the inspection and management of steam boilers, licensing engineers and appointment of inspectors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

J. A. GREEN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Green,

The bill was laid on the table.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 690, entitled

A bill to revise the charter of the city of Muskegon and to enlarge and define the boundaries of said city,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged

On motion of Mr. Holt,

The House concurred in the amendments made to the bill by the committee.

Mr. Holt moved that the rules be suspended and the bill be put upon its immediate passage.

On agreeing to which,

Mr. R. Robinson demanded the yeas and nays.

The demand was seconded, and the rules were not suspended, two-thirds of all the members present not voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Brock,	Mr. Hosford,	Mr. Rogers,
Allen,	Burr,	Jones,	Rounsville,
Ashton,	Cannon,	Kirby,	Rumsey,
Baker, S.,	Chamberlain,	Lakey,	Spencer,
Baker, W. A.	Crocker,	Makelim,	Tindall,
Baldwin,	Dickson,	Manly,	Vickary,
Bardwell,	Diekema,	McKie,	Washburn,
Bates,	Dougherty,	O'Keefe,	Watson, F. H.,
Baumgardner,	Green,	Perkins,	Webber,
Beecher,	Harper,	Pettit,	Wellman,
Bettinger,	Holt,	Reader,	Williams, W. W.
Bentley,			

NAYS.

Mr. Anderson,	Mr. Haskin,	Mr. McGregor,	Mr. Simpson,
Chapell,	Hill,	Ogg,	Stuart,
Dunbar,	Hunt,	Powers,	Vroman,
Eldred,	Killean,	Rentz,	Watts,
Engleman,	Lincoln,	Robinson, J. W.,	Wood,
Grenell,	McCormick,	Robinson, R.	23

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Bates moved to reconsider the vote by which the House directed a respectful message sent to the Senate asking the return to the House of

A bill to amend sections 3 and 7 of title 1, sections 2, 21 and 38 of title 2, sections 2 and 10 of title 3, sections 4, 9, 11, 12, 13, 18 and 19 of title 5, and to enact and add a new section to be known as section 55 to title 5 of an act entitled "An act to revise and amend the charter of the city of Saginaw, and to repeal act No. 496 of the laws of 1867, entitled 'An act to amend an act entitled An act to revise and amend the charter of the city of Saginaw,' " approved February 5, 1859, being act No. 227 of the laws of 1883, approved March 16, 1883, and section 5 of title 1 of said act as amended by section 1 of an act entitled "An act to amend act No. 227 of the laws of 1883, entitled An act to revise and amend the charter of the city of Saginaw, and to repeal act No. 496 of the laws of 1867, entitled An act to amend An act entitled an act to revise and amend the charter of the city of Saginaw," approved February 5, 1859, approved March 16, 1873, being act No. 338 of the laws of 1885, approved April 29, 1885,

On which,

Mr. Dakin demanded the yeas and nays.

The demand was seconded, and the motion to reconsider the action of the House did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Burr,	Mr. Jones,	Mr. Perkins,
Allen,	Case,	Kirby,	Pettit,
Anderson,	Chapman,	Lakey,	Pierce,
Ashton,	Haskin,	McCormick,	Spencer,
Baldwin,	Hill,	McGregor,	VanOrthwick,
Bates,			21

NAYS.

Mr. Baker, S.,	Mr. Dakin,	Mr. Lincoln,	Mr. Rumsey,
Baker, W. A.,	Damon,	Linton,	Simpson,
Baumgardner,	Dickson,	Manly,	Stuart,
Bettinger,	Dougherty,	McKie,	Vickary,
Bentley,	Dunbar,	McMillan,	Vroman,
Breen,	Eldred,	Mulvey,	Washburn,
Brock,	Green,	Ogg,	Watson, F. H.
Cady,	Grenell,	Powers,	Watson, H.
Cannon,	Harper,	Preston,	Watts,
Chamberlain,	Hoaglin,	Reader,	Wellman,
Chapell,	Hosford,	Rentz,	Wilson,
Cole,	Hunt,	Robinson, J. W.	Wood,
Crocker,	Killean,	Robinson, R.,	51

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, March 23, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following concurrent resolution:

Resolved by the House (the Senate concurring), That the Secretary of State be requested in furnishing copies of the manual to employés of the House under a former resolution of the House, to furnish such employés with copies of said manual containing blank ruled leaves in the back part of said manual similar to those furnished to the members of the House,

And to inform the House that the Senate has amended the same by inserting before the word "House," where it first occurs the words "Senate and,"

In the adoption of which, as thus amended, the Senate has concurred.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The question being on concurring in the amendment to the resolution,

On motion of Mr. Bates,

The message was laid over one day.

Mr. Crocker moved that

House bill No. 690, entitled

A bill to revise the charter of the city of Muskegon, and to enlarge and define the boundaries of said city,

Be referred to the committee of the whole, and placed on the general order, without having the same printed.

After some discussion,

Mr. Lakey demanded the previous question.

The demand was not seconded.

The motion that the bill be referred to the committee of the whole without being printed, then prevailed.

On motion of Mr. Lakey,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, March 23, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 632, entitled

A bill to revise and amend the charter of the city of Battle Creek,

And to inform the House that the Senate has amended the same, as follows, viz.:

1. By striking out section 1 and inserting in lieu thereof the following, to stand as enacting section 1 and section 1 of the bill:

SECTION 1. *The People of the State of Michigan enact*, That act No. 53 of the session laws of 1859, entitled "An act to incorporate the city of Battle Creek, approved February 3, 1859," as revised and amended by the several acts revisionary and amendatory thereof, be and the same is hereby amended so as to read as follows, and all acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 1. *The People of the State of Michigan enact*, That sections 1 and 12 in the township of Battle Creek, and sections 6 and 7 in the township of Emmett, in the county of Calhoun be and the same are hereby set off from the townships of Battle Creek and Emmett respectively and declared to be a city by the name of the "(City) of Battle Creek," by which name it shall hereafter be known.

And further to inform the House that the Senate has amended the title to the bill so as to read as follows:

A bill to revise and amend act No. 53 of the session laws of 1859, entitled "An act to incorporate the city of Battle Creek," approved Feb. 3, 1859, as revised and amended by the several acts revisionary and amendatory thereof, and to repeal all acts or parts of acts inconsistent herewith.

In the passage of which as thus amended, with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Pending the order that the motion lie over one day under the rules,

Mr. Eldred moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Eldred,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
 Allen,
 Anderson,
 Ashton,

Mr. Cole,
 Crocker,
 Dakin,
 Damon,

Mr. Hosford,
 Houk,
 Jones,
 Killeen,

Mr. Powers,
 Preston,
 Reader,
 Robinson, J. W.

Mr. Baker, S.	Mr. Dickson,	Mr. Kirby,	Mr. Robinson, R.,
Baker, W. A.,	Diekema,	Lakey,	Rumsey,
Baldwin,	Dougherty,	Lincoln,	Spencer,
Bardwell,	Dunbar,	Makelim,	Thompson,
Bates,	Eldred,	McCormick,	Tindall,
Beecher,	Engloman,	McGregor,	Vickary,
Bettinger,	Green,	McKie,	Vroman,
Breen,	Grenell,	Mulvey,	Washburn,
Brock,	Harper,	O'Keefe,	Watson, F. H.,
Burr,	Haskin,	Oviatt,	Wellman,
Cady,	Hill,	Perkins,	Wilson,
Cannon,	Hoaglin,	Petitt,	Wood,
Case,	Holt,	Pierce,	Speaker,
Ohappell,	Hoobler,		70

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The question being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 22, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 667, entitled,

A bill to amend sections 3 and 7, of title 1; sections 2, 21 and 38 of title 2; sections 2 and 10, of title 3; sections 4, 9, 11, 12, 13, 18, 19, of title 5; and to enact and add a new section to be known as section 55 to title 5, of an act entitled, "An act to revise and amend the charter of the city of Saginaw, and to repeal act No. 496 of the laws of 1867, entitled 'An act to amend an act entitled An act to revise and amend the charter of the city of Saginaw,'" approved February 5, 1859, being act No. 227, of the laws of 1883, approved March 16, 1883, and section 5, of title 1, of said act, as amended by section 1 of an act entitled, "An act to amend act No. 227, of the laws of 1883, entitled, An act to revise and amend the charter of the city of Saginaw, and to repeal act No. 496, of the laws of 1867, entitled, An act to amend an act entitled An act to revise and amend the charter of the city of Saginaw," approved February 5, 1859, approved March 16, 1873, being act No. 338, of the laws of 1885, approved April 29, 1885;

In compliance with the request of the House for the same, this day received.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Mr. McGregor moved to suspend the rule limiting the time within which a motion to reconsider a vote may be made,

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Dakin moved to reconsider the vote by which the House passed the bill,

Which motion prevailed.

The question being on the passage of the bill,

Mr. Dakin moved that the bill be referred to the committees on municipal corporations and labor interests jointly.

Mr. Crocker moved to amend the motion by making the reference to the committee on municipal corporations only;

Which motion did not prevail.

The motion for a joint reference then prevailed.

Mr. Holt moved to take from the table,

House bill No. 693 (file No. 210), entitled

A bill to amend section 1 of act No. 38, of the session laws of 1883, being "An act to provide for adjustment of rights and liabilities on division of territory of cities and townships;"

Which motion prevailed.

The question being on concurring in certain amendments made to the bill by the Senate, which had been reported as follows:

1. By striking out of line 2 of section 1 the words "session laws," and inserting in lieu thereof the words "public acts;"

2. By striking out of line 2 of section 1 the word "being," and inserting in lieu thereof the word "entitled;"

3. By inserting in line 3 of section 1, after the word "townships," the words "approved April 21, 1883;"

And further by amending the title to the bill as follows:

1. By striking out of line 1 the words "session laws," and inserting in lieu thereof the words "public acts;"

2. By striking out of line 1 the word "being," and inserting in lieu thereof the word "entitled;"

3. By adding to the end thereof the words "approved April 21, 1883."

On motion of Mr. Holt,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS:

Mr. Abbot,	Mr. Chapell,	Mr. Holt,	Mr. Powers,
Allen,	Cole,	Hoobler,	Preston,
Anderson,	Crocker,	Hosford,	Robinson, J. W.
Ashton,	Dakin,	Houk,	Robinson, R.
Baker, S.	Damon,	Hunt,	Rumsey,
Baker, W. A.	Dickson,	Killean,	Spencer,
Baldwin,	Diekema,	Kirby,	Thompson,
Bardwell,	Dougherty,	Lakey,	Tindall,
Bates,	Dunbar,	Lincoln,	VanOrchwick,
Beecher,	Eldred,	McCormick,	Vroman,
Bettinger,	Engleman,	McGregor,	Washburn,
Bentley,	Green,	McKie,	Watson, F. H.
Breen,	Grenell,	McMillan,	Watson, H.,
Brock,	Harper,	Mulvey,	Wellman,
Burr,	Haskin,	O'Keefe,	Williams, W. W.
Cady,	Herrington,	Oviatt,	Wood,
Cannon,	Hill,	Perkins,	Speaker,
Case,	Hoaglin,	Pettit,	

NAYS.

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The question then being on concurring in the amendments made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker announced that the hour had arrived for the

SPECIAL ORDER.

And,

On motion of Mr. Oviatt,

The House went into committee of the whole, on the special order,
With the Speaker in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 20 (file No. 2), entitled

A bill to amend section 20, of chapter 244, of the compiled laws of 1871, being compiler's section 9094 of Howell's annotated statutes of Michigan, relative to offenses against the lives and persons of individuals,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

D. P. MARKEY, *Chairman.*

Report accepted and committee discharged.

The question being on concurring in the amendments made to the bill by the committee,

Mr. Diekema demanded the yeas and nays.

The demand was seconded, and the amendments were concurred in by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chamberlain,	Mr. Hunt,	Mr. Oviatt,
Allen,	Chapell,	Jones,	Perkins,
Anderson,	Cole,	Kelley,	Rentz,
Ashton,	Crocker,	Killeen,	Robinson, J.W.
Baker, S.,	Dakin,	Lincoln,	Rogers,
Baker, W. A.,	Dunbar,	Linton,	Rounsville,
Bardwell,	Engleman,	Makelim,	Rumsey,
Beecher,	Green,	Manly,	Simpson,
Bettinger,	Herrington,	McCormick,	Tindall,
Brock,	Hoaglin,	McGregor,	VanOrthwick,
Burr,	Holt,	McKie,	Washburn,
Cady,	Houk,	Mulvey,	Watson, F. H.,
Cannon,			49

NAYS.

Mr. Baldwin,	Mr. Dougherty,	Mr. McMillan,	Mr. Vickary,
Bates,	Eldred,	Ogg,	Vroman,
Baumgardner,	Grenell,	O'Keefe,	Watson, H.

Mr. Bentley,	Mr. Haskin,	Mr. Pettit,	Mr. Webber,
Breen.	Hill,	Pierce,	Wellman,
Case,	Hoobler,	Reader,	Williams, W.W.
Chapman,	Hosford,	Spencer,	Wilson,
Damon,	Kirby,	Stuart,	Wood,
Dickson,	Lakey,	Thompson,	Speaker,
Diekema,			37

On motion of Mr. Herrington,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Abbott demanded the previous question.

The demand was seconded.

The question being shall the main question be now put,

The same was ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Kelley,	Mr. Rentz,
Allen,	Dakin,	Killeen,	Robinson, J.W.
Anderson,	Damon,	Kirby,	Robinson, R.,
Ashton,	Dickson,	Lakey,	Rogers,
Baker, S.,	Diekema,	Lincoln	Rounsville,
Baker W. A.,	Dougherty,	Linton,	Rumsey,
Baldwin,	Dunbar,	Makelim,	Simpson,
Bardwell,	Eldred,	Manly,	Spencer,
Bates,	Engleman,	McCormick,	Stuart,
Baumgardner,	Green,	McGregor,	Thompson,
Beecher,	Grenell,	McKie,	Tindall,
Bettinger,	Harper,	McMillan,	VanOrthwick,
Bentley,	Haskin,	Mulvey,	Vickary,
Breen,	Herrington,	Ogg,	Vroman,
Brock,	Hill,	O'Keefe,	Washburn,
Burr,	Hoaglin,	Oviatt,	Watson, F. H.
Cady,	Holt,	Perkins,	Watson, H.,
Cannon,	Hoobler,	Pettit,	Webber,
Case,	Hosford,	Pierce,	Wellman,
Chamberlain,	Houk,	Powers,	Williams, W.W.
Chapell,	Hunt,	Preston,	Wilson,
Chapman,	Jones,	Reader,	Wood, 89
Cole,			

NAYS.

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Title agreed to.

Mr. Herrington moved that the bill be ordered to take immediate effect;

Which motion did not prevail, two-thirds of all the members elect not voting therefor.

Mr. Oviatt moved to take from the table.

House bill No. 10 (file No. 57), entitled

A bill to provide for the penalty of death in certain cases of murder and rape,

Which motion prevailed.

The question being on the passage of the bill,

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Rumsey moved to amend the bill by striking out of line 4, section 2, the word "three" and inserting the word "six" in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on the passage of the bill,

Mr. Oviatt demanded the previous question.

The demand was seconded.

The question being shall the main question be now put,

The same was ordered.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Engleman,	Mr. Lincoln,	Mr. Reader,
Allen,	Harper,	Linton,	Robinson, R.,
Anderson,	Haskin,	Makelam,	Rogers,
Baker, S.,	Herrington,	Manly,	Thompson,
Cady,	Hill,	McGregor,	Tindall,
Cannon,	Hoaglin,	McMillan,	Van Orthwick,
Case,	Holt,	Mulvey,	Vickary,
Chamberlain,	Houk,	O'Keefe,	Vroman,
Chapell,	Jones,	Perkins,	Washburn,
Cole,	Kelley,	Pierce,	Watson, H.
Damon,	Kirby,	Powers,	Wood,
Diekeman,	Lakey,	Preston,	Speaker,
Eldred,			

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NAYS.

Mr. Ashton,	Mr. Burr,	Mr. Hosford,	Mr. Rounsville,
Baker, W. A.,	Chapman,	Hunt,	Rumsey,
Baldwin,	Crocker,	Killeam,	Simpson,
Bardwell,	Dakin,	McCormick,	Spencer,
Bates,	Dickson,	McKie,	Stuart,
Baumgardner,	Dougherty,	Ogg,	Watson, F. H.,
Beecher,	Dunbar,	Oviatt,	Webber,
Bettinger,	Green,	Pettit,	Wellman,
Bentley,	Grenell,	Rentz,	Williams, W. W.
Breen,	Hoobler,	Robinson, J. W.	Wilson,
Brock,			

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Mr. Oviatt moved to reconsider the vote by which the House refused to pass the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Oviatt,

The bill was laid on the table.

Mr. Wilson offered the following:

Resolved, As we have with us to-day a respected gentleman of national repute, who was once a law partner of our lamented President Lincoln, namely Col. Jesse Harper, of Illinois, that we take a recess of fifteen minutes, and that the Speaker appoint a committee to wait upon him and conduct him to the Speaker's chair, and that he favor us with an address,

Which was adopted.

The Speaker appointed as the committee under the resolution, Messrs. Wilson and Bates.

After a short absence the committee returned and the Speaker introduced Col. Jesse Harper, who addressed the House at length.

After which,

Mr. Hosford moved to discharge the committee of the whole from the further consideration of

House bill No. 211 (file No. 244), entitled

A bill to amend "an act relative to justice courts in the city of Detroit," being act No. 280 of the session laws of 1883, approved April 25, 1883, as amended by act No. 272 of the session laws of 1885, approved March 17, 1885, by adding thereto a new section to stand as section 9,

Which motion prevailed.

On motion of Mr. Hosford.

The bill was put upon its immediate passage.

The bill was then read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dickson,	Mr. McMillan,	Mr. Simpson,
Ashton,	Diekema,	Ogg,	Stuart,
Baker. W. A.,	Dunbar,	Preston,	Washburn,
Bettinger,	Grenell,	Rentz,	Watson, F. H.,
Bentley,	Hill,	Robinson, J. W.	Watson, H.,
Cole	Killean,	Robinson, R.,	Watts,
Dakin,	Kirby,	Rogers,	Speaker, 28.

NAYS.

Mr. Abbott,	Mr. Cannon,	Mr. Lakey,	Mr. Spencer,
Anderson,	Damon,	Lincoln,	Thompson,
Baldwin,	Engleman,	McGregor,	Tindall,
Bardwell,	Haskin,	Oviatt,	VanOrtheast,
Bates,	Herrington,	Pierce,	Webber,
Breen,	Hosford,	Reader,	Wellman,
Brock,			25.

Mr. Hosford moved to reconsider the vote by which the House refused to pass the bill.

Mr. Abbott moved that the motion to reconsider do lie on the table,

Which motion did not prevail.

The motion to reconsider then prevailed.

The question being on the passage of the bill,

On motion of Mr. Hosford,

The bill was laid on the table.

GENERAL ORDER.

On motion of Mr. Holt,

The House went into committee of the whole on the general order.

Whereupon the Speaker called Mr. Engleman to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:
House bill No. 690, entitled

A bill to revise the charter of the city of Muskegon and to enlarge and define the boundaries of said city,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

HIERONYMOUS ENGLEMAN, *Chairman.*

Report accepted and committee discharged.

Mr. Stuart moved that the bill do lie on the table,

Which motion did not prevail.

On motion of Mr. Holt,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

Mr. Holt moved that there be a call of the House;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS

Mr. Abbott,	Mr. Chapman,	Mr. Jones,	Mr. Pettit,
Allen,	Cole,	Killean,	Powers,
Anderson,	Crocker,	Kirby,	Rentz,
Baker, S.,	Damon,	Lahey,	Robinson, J. W.
Baker, W., A.,	Dougherty,	Lincoln,	Thompson,
Baldwin,	Green,	Makelim,	Tindall,
Bardwell,	Grenell,	Manly,	Vickary,
Bates,	Harper,	McCormick,	Washburn,
Baumgardner,	Haskin,	McKie,	Watson, F. H.,
Beecher,	Herrington,	McMillan,	Watson, H.,
Bettinger,	Hoaglin,	Mulvey,	Webber,
Breen,	Holt,	O'Keefe,	Wellman,
Brock,	Hosford,	Oviatt,	Williams, W. W.
Cannon,	Hunt,	Perkins,	Wilson,
Chamberlain,			

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NAYS.

Mr. Case,	Mr. Hill,	Mr. Robinson, R.,	Mr. VanOrthwick,
Dickson,	McGregor,	Simpson,	Watts,
Dunbar,	Pierce,	Spencer,	Wood,
Engleman,	Reader,	Stuart,	

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The question being on agreeing to the title,

Mr. Holt moved to amend the title by striking out the words "enlarge and,"

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Beecher moved to take from the table,

House bill No. 712, entitled

A bill to revise and amend the charter of the village of Fenton, Genesee county;

Which motion prevailed.

On motion of Mr. Beecher,

The bill was referred to the committee on municipal corporations.

Mr. W. A. Baker offered the following:

Resolved, That Representative Ashton is hereby requested to furnish the Clerk with the manuscript of his address on the "age of consent" bill, and that the same be published at length in the Journal of the House,

Which was adopted.

The following are the remarks of Mr. Ashton, referred to in the above resolution:

This to me gentlemen, is one of the most important and responsible questions that is likely to come before this House this winter; a measure in which all members of this great State of our's that we all love so well are deeply, and, I may say, feelingly interested, and we do not desire and we ought not to place on her statutes a law that will not be effective, or that will be injurious to this great commonwealth or not be in consonance with the common law, and the tendency of which would be to increase crime. It is a question that should not be voted on thorough pathetic impulses, nor imaginary pictures placed before us by the eloquence or unction of the particular friends of the bill. Neither should the cold indifference of others cause any one from thoroughly investigating for himself, and when so done cast aside all the prejudice that has seemed to characterize so many of the very able addresses that have been delivered on this floor, and vote your own responsibility. The question to my mind that first presents itself is that of puberty.

Puberty, defined, is the age at which persons are able for begetting or bearing children—in mild temperatures or climates conceded to be, fourteen in boys and twelve in girls. Now then, gentlemen, if puberty is fairly established in girls at the age of twelve, it is a fact that at this age the whole female economy assumes a new energy and life, and the girl of yesterday is a woman to-day.

It is this woman with which we have to deal in solving this great problem in voting on this question. Now, gentlemen, it is a fact that puberty is established in the human female in mild climates at the age of twelve years, I assert, without fear of successful contradiction. That she is as large and strong and well developed as she will be at fourteen, or at fourteen as she will be at sixteen, or at sixteen as she will be at twenty, I do not assert, nor do I believe it necessary to argue. But she is a woman, and already possesses a woman's possibilities and capabilities.

And now, gentlemen, permit me to digress, and in doing so I assume the responsibility. I assert that to-day, at the age of fourteen, there are hundreds of girls who are educated, and kept as decoys in houses of ill-fame, and on the streets of our cities and villages, whose avocations are with their wily, seductive, lasciviousness, to allure and seduce the inquisitive boy or man, or man as he now is; yes, and men of more mature age, into the dens of damnation, and there pollute and poison forever their innocence.

Where is your boy? How came he there? What evil influence has induced this? The tempters' snare has been thrown around him; the harlots of brothels and pesthouse of perdition have impressed on the lips of your boy

the hot, impassioned, lascivious kiss, and left its stain forever there. Where is your boy? You have your girl with you, but your boy, where is he? In the hands of the girls and women that for one bad act—let me emphasize—have been spurned from all the hallowed and Christian influences that should have borne and prayed and wept with the erring one; with no one to say no—none to check his wild young, uncontrollable, seething passions—none to stay his onward, downward course.

These moral pest houses are all over the land, filled and overflowing with whom, by whom? Mostly daughters of your neighbors and your friends. The result of one evil, unthoughtful, unguarded moment, only one, has doomed her to everlasting disgrace and infamy.

A boy and girl may grow up together from early childhood, both pure and good, both beloved by their parents, associates and friends—associates in every social circle.

At an early period in womanhood and manhood the tempter came. No one can ever tell why or how—the mistake has been made. The woman is soon to become a mother, and charges the paternity of her unborn to her friend and lover of all her past life—child with her as child, boy with her as girl, man with her as woman. Who is most to blame? I care not. I believe it was mutual. But this I do know—that the social status of the women of this country will forever consign that young woman to a life of infamy and disgrace, and never a word of condemnation for the young man.

And now without ever having condemned that young man socially or otherwise, you ask us to enact that he be sent to the penitentiary for a long term of years. Before conviction it *must* be a crime punishable—before you can convict and punish, moral sentiment and public opinion must be in favor of it. Is it so? I answer no!

The young woman with no hope, no matter how well she may conduct herself, of ever regaining even a relative social standing with her sex, her life wretched and miserable with only the black frowns of scorn and contempt to meet her everywhere—discouragement, despair, drive her to desperation, and with no ray of hope, not even a charitable Christian mother in Zion stands afar off to breathe the prayer “do unto others as you would they should do unto you,” or point her to the Lamb of God that takes away the sins of the world, she wildly, madly, despairingly, rushes out from a cold, remorseless, uncharitable world.

Hell is preferable and her career is downward. I tell you, gentlemen, these houses of degradation are running over with vile women that might have been saved had the good, loving sisters, mothers, humanitarians, Christians, petitioners, but extended a charitable, weeping, loving hand, led her to the altar, knelt beside her, asking a forgiving Father and frowning world to have mercy on an erring one, and ninety-nine times out of every hundred she would accept with loving heart the injunction of the Savior, “Go thy way and sin no more.”

Now, gentlemen, the majority, and a very large majority of all the sinks are kept by this very class of abandoned women. The world to them is a mockery, Christian ministrations a myth, and charitable institutions a shadow. She turns her back upon the world, and, cursing with revengeful oaths that echo from the lowest Hell, she forever severs herself from the moral world.

And now the women come, and with thousands of names to their petitions

ask us to jeopardize the liberties and souls of our young men and older ones to the machinations of these kind of women, and ask us to offer bids in dollars for their ruin ; yes more, the menace of imprisonment and disgrace,

These vile women ply their vocation for money, not pleasure. Do they care how they get it? It is no difficult matter for them to find a girl of fourteen or even under, pretty and fascinating, and don't you suppose they would rather make five hundred than five dollars, and one would be just as honorable as the other; and who of you, were your son charged with cohabiting with a woman under the age of consent, would not come down with the five hundred rather than to take the chances of your son's trial?

Ask your attorneys and they will tell you it is a very difficult matter to defend one accused of rape. The very hardest defense they have to establish. Sir Matthew Hale, the great jurist and judge, remarks, "it is true rape is a most detestable crime, and, therefore, ought severely and impartially be punished by death, but it must be remembered that it is an accusation easily made, but very hard to defend by the party accused, though he be ever so innocent," and then relates several singular cases that came under his judicial observation of innocent parties falsely and maliciously accused of this crime who narrowly escaped conviction.

Now, then, the summing up of the whole matter is this: That the worst women and most to be feared in these houses of ill-fame are those that go there for revenge, either particular or universal—they have their victims, and will resort to any means for their ruin. That hundreds of innocent boys and men will be induced, with one pretense or another, to enter these houses purely for revenge or money, or both, and somebody's character is gone and pocket empty.

That it will increase crime by offering opportunities for bribes, blood money, blackmail and revenge.

That this question is not one of sentiment, but purely one of justice, and as such requires your thought and consideration.

That fourteen years in this State is as old as the girl of this age when consent should be required.

That at the age of puberty the mind and tastes are rapidly developed and the impressive nature of youth may now become on the one hand inspired by noble and generous sentiments, or on the other a bent towards that which is base. One leads to the upper manhood and womanhood, the other down.

Puberty is a critical period in the life of man and woman alike. Both are very susceptible to impressions and sexual excitement; in fact at this time of life it does seem that the sexual organs are dominant and that the whole mental and moral economy are under their control. But, gentlemen, remember this is alike in both sexes, and a more thorough education in both sexes prior to this new life would be the best thing to do mentally, morally and physically. Do you remember when you were fourteen? If so let me ask what moral force did you possess to prevent. Was it moral force or only diffidence?

Finally, that justice demand, and the welfare of our State, the women of our State, the men of our State, the society of our State, the morals of our State, all will be bettered, gentlemen. Surely bettered to have the age of consent established at not more than fourteen years, and I believe it would still be better at thirteen; for there are women seducers as well as men seducers, and of both boys and girls, and as the age of consent is advanced the greater the incentive for them to pursue their hellish designs.

Dr. Cameyoys, of Cincinnati, says: "I believe there are in this city a hundred women whose only vocation is to secure young girls and sell their virginity, sometimes to the highest bidder. They keep for and adorn them in the most exquisite apparel. These girls of course are not first carried to brothels, but to houses of assignation, very luxurious in character, and strange as it may appear, these women go in good society and are church members."

Dr. Barstowe says that nine out of every ten girls in New York city, in houses of prostitution, learned their first lessons in houses of assignation kept, as it were, by respectability; in fact, legitimate, who have their agents in almost every ward, who are daily carrying to these houses girls second to none in the city. And they are so highly connected that it would be a fruitless attempt to prosecute. There are ten girls seduced by women in this United States where there is one by men. That these women seduce both boys and girls; they have a double purpose if this law passes. They seduce the young girl that she may have a control over those who cohabit with her. Never a rape.

On motion of Mr. Damon,
The House adjourned.

Lansing, Friday, March 25, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Thompson.

Roll called: quorum present.

Absent without leave: Messrs. Baumgardner, Case, Grenell, Hoobler, and Hunt.

On motion of Mr. Ogg,

Leave of absence was granted to Mr. Baumgardner for the day.

On motion of Mr. Ogg,

Leave of absence was granted to Mr. Grenell for the day.

On motion of Mr. Ashton,

Leave of absence was granted to Mr. Case until Monday next.

On motion of Mr. Dakin,

Leave of absence was granted to Mr. Hoobler for the day.

On motion of Mr. Ashton,

Leave of absence was granted to Mr. Hunt until Thursday next.

PRESENTATION OF PETITIONS.

No. 634. By Mr. Perkins: Petition of Michael Murray et al., relating to the boundaries of St. Ignace.

On demand of Mr. Perkins,

The petition was read at length and spread at large on the journal, as follows:

To the Honorable the Legislature of the State of Michigan :

We, the undersigned residents of the city of St. Ignace, and owners of land in the city and township of St. Ignace, do most respectfully remonstrate against the proposed change in the boundary of St. Ignace by attaching the rear end of the private claims No. 18 and 19 to said city, and state that said private claims are about three miles long and the same are uncultivated and an unbroken wilderness, and should not in justice to the owners of said claims be taken into the corporate limits of the city of St. Ignace without their consent.

MICHAEL MURRAY,

PATRICK MURRAY,

DAVID MURRAY,

Owners of P. C. 19.

PATRICK McNALLY,

MICHAEL McNALLY,

Owners of P. C. 18.

Referred to the committee on municipal corporations.

No. 635. By Mr. Dickson : Petition of 160 women of Cass county, asking the passage of the bill granting municipal suffrage for women.

On demand of Mr. Dickson,

The petition was read at length, and spread at large on the journal, as follows :

To the Senate and House of Representatives of the State of Michigan :

Your petitioners respectfully ask that such action be taken as will secure to the women of Michigan the right to vote in the election of all town and city officers, and upon all local questions, including that of granting licenses for the sale of intoxicating liquors.

And petitioners will ever pray.

Referred to the committee on elections.

REPORTS OF STANDING COMMITTEES.

By the committee on education:

The committee on education, to whom was referred

Senate bill No. 255 (file No. 134), entitled

A bill to amend sections 5 and 6, of act number 310, of the local acts of 1877, approved April 21, 1877, being an act entitled, " An act to regulate the time for holding the annual meeting, and the manner of electing trustees in Union School District No. 1, of the city of Jackson, and to repeal section 2, of act 340, of the session laws of 1875," approved April 22, 1875,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 351, entitled

A bill to amend section 1, of act number 177, of the session laws of 1881, entitled, "An act relative to the delivery of grain by railway companies," approved May 31, 1881,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chapman,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 291, entitled

A bill to regulate the manner in which insurance companies not organized under the laws of this State, but doing business within it, shall transact their business,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cole,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 807, entitled

A bill to change the several names of Peter Curtis, Clarisse Curtis, Peter Curtis, Jr., Eva Curtis, Mari Blanche Curtis and Sophia Curtis to Peter Couture, Clarisse Couture, Peter Couture, Jr., Eva Couture, Mari Blanche Couture and Sophia Couture, respectively,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 278, entitled

A bill to repeal sections 1, 2, and 3 of act No. 198 of session laws of 1877, being compiler's sections No. 2123, 2124 and 2125 of Howell's annotated statutes of Michigan, relative to taxes on dogs,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dickson,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 512, entitled

A bill to prohibit the killing of quail and partridge for the period of five years,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. S. Baker,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 264, entitled

A bill to amend sections 2 and 5 of act number 127, public acts of 1879, approved May 31, 1879, the same being sections 2 and 5 of an act entitled "An act to provide for the inspection of illuminating oil manufactured from petroleum or coal oils, and to repeal act number 181, of session laws of 1875, approved May 1, 1875, and act 196 of session laws of 1877, approved May 22, 1877," being sections number 1538 and 1541, of the compiled laws of 1882,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cole,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

Senate bill No. 304, entitled

A bill to amend sections 2, 3, 7, 10, and 21, of act number 231, of the public acts of 1871, entitled "An act to re-incorporate the village of South Haven, and to repeal all inconsistent acts and parts of acts," approved March 18, 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill

when so amended do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Bates,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Bates,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dakin,	Mr. Lakey,	Mr. Robinson, J.W
Allen,	Damon,	Lincoln,	Rogers,
Anderson,	Dickson,	Linton,	Rounsville,
Ashton,	Diekema,	Makelim,	Rumsey,
Baldwin,	Dillon,	McCormick,	Simpson,
Bardwell,	Dougherty,	McGregor,	Snow,
Bates,	Dunbar,	McKie,	Spencer,
Beecher,	Eldred,	McMillan,	Thompson,
Bettinger,	Engleman,	Mulvey,	VanOrthwick,
Bentley,	Harper,	Ogg,	Vickary,
Breen,	Haskin,	O'Keefe,	Vroman,
Brock,	Herrington,	Perkins	Washburn,
Burr,	Hoaglin,	Pettit,	Watts,
Canlon,	Hosford,	Pierce,	Webber,
Chamberlain,	Houk,	Powers,	Wellman,
Chapell,	Kelley,	Preston,	Williams, W.W
Cole,	Killean,	Reader,	Wilson,
Crocker,	Kirby,	Rentz,	70

NAYS.

Mr. Cady, Mr. Robinson, R., 2

The question being on agreeing to the title,

Mr. Bates moved to amend the title so as to read as follows:

A bill to amend 2, 3, 10 and 21 of act No. 231 of the session laws of 1871, entitled "An act to re-incorporate the village of South Haven, and to repeal all inconsistent acts and parts of acts," approved March 18, 1871, and to amend section 7 of act No. 231 of the session laws of 1871, entitled "An act to re-incorporate the village of South Haven, and to repeal all inconsistent acts and parts of acts," approved March 18, 1871, as amended by act No. 19 of the session laws of 1872.

Which motion prevailed.

The title, as amended, was then agreed to.

On motion of Mr. Bates,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 540, entitled

A bill to establish a municipal police court for the city of East Saginaw, having exclusive criminal jurisdiction in said city, and to repeal all parts of the charter of said city inconsistent therewith,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to establish and organize a municipal court in the city of East Saginaw to be known and called "The police court of East Saginaw," and to repeal all of the provisions of the charter of the city of East Saginaw heretofore enacted to establish and organize a police court in the city of East Saginaw, and all acts and parts of acts in any wise contravening the provisions of this act,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Linton,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Linton,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Lincoln,	Mr. Robinson, R.
Allen,	Diekema,	Linton,	Rogers,
Ashton,	Dillon,	Makelim,	Rounsville,
Baker, S.,	Dougherty,	McCormick,	Rumsey,
Baldwin,	Dunbar,	McGregor,	Simpson,
Bardwell,	Eldred,	McKie,	Snow,
Bates,	Engleman,	McMillan,	Spencer,
Beecher,	Green,	Mulvey,	Stuart,
Bettinger,	Harper,	Ogg,	Thompson,
Bentley,	Haskin,	O'Keefe,	VanOrthwick,
Breen,	Herrington,	Oviatt,	Vroman,
Brock,	Hoaglin,	Perkins,	Washburn,
Burr,	Holt,	Pettit,	Watson, F. H.
Cannon,	Houk,	Pierce,	Watson H.
Chamberlain,	Jones,	Powers,	Webber,
Chapell,	Kelley,	Preston,	Wellman,
Cole,	Killeen,	Reader,	Williams, W. W.
Dakin,	Kirby,	Rentz,	Wilson,
Damon,	Lakey,	Robinson, J. W.	Speaker, 76

NAYS.

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Title agreed to.

On motion of Mr. Linton,

By a two-thirds vote of all the members elect, the bill was ordered to take immediate effect.

By the committee on judiciary:

The committee on judiciary, to whom was referred
House bill No. 96, (file No. 148), entitled,

A bill to amend section 8218 of Howell's compilation, being section 6630 of the compiled laws of 1871, as amended by act No. 63 of the session laws of 1883, relative to proceedings by and against public bodies, having certain corporate powers, and by and against officers representing them,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with amendments, thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred
Senate bill No. 124 (file No. 108), entitled

A bill to facilitate the commencement of suits in justice courts against joint defendants, one or more of whom shall not reside in or be found in the county where the suit shall be brought,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on manufacturers:

The committee on manufacturers, to whom was referred
House bill No. 403, entitled

A bill to provide for the election of the commissioner of insurance and to further enlarge and define the powers and duties of the insurance bureau,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be printed for the use of committee.

J. A. GREEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Green,

The bill was ordered printed for the use of the committee.

By the committee on ways and means:

The committee on ways and means, to whom was referred
Senate bill No. 293 (file No. 132), entitled

A bill to provide for the completion of biographical and historical work commenced by the semi-centennial commission,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 600, entitled

A bill to fix the per diem compensation of members of the State Legislature from the Upper Peninsula, for and during the session of 1887,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The following minority report was presented:

The undersigned member of the committee on ways and means finds himself in a very unpleasant position with regard to

House bill No. 600, entitled

A bill to fix the per diem compensation of members of the State Legislature from the Upper Peninsula, for and during the session of 1887.

It is always pleasant to be able to agree with our associates; and it is especially disagreeable to be unable to agree in a matter of so personal a nature as this, personal to members whom I highly esteem, and whom I have called, and yet hope to continue to do so, my friends. And yet, while it seems personal to them, I assure them, and the House that it is not; that I base my action on a principle which would be unchanged if the entire delegation from the Upper Peninsula were my brothers.

I am informed that it has been the custom, with two or three exceptions, since the adoption of the present constitution—1850—to pay the members \$5.00 per day; that this custom has grown out of a provision in that constitution authorizing the payment of that sum in the discretion of each Legislature.

I concede, then, that there is constitutional license, and long established custom upon which to base such action; but I must go further, and if possible get at the right of the matter. Why was such a license embodied in that constitution?

Because at that time—1850—there was no communication with the Upper Peninsula hardly possible except lake navigation. The sessions were short, sixty or seventy days' duration, commencing as now in January and ending in March. Yet the Representative of that section was obliged to leave his home in November, and was only able to return in May, making an enforced absence of five or six months, of which time he got pay for less than three months.

And if perchance, those Representatives, as in the history of the State has several times happened, took the fearful alternative of coming or returning overland by way of Green Bay in sledges drawn by horses or dogs, over a country without roads, through a country without accommodations for travelers, and in a temperature only endurable to those inured to it, and clothed in furs. They risked their health if not their lives in the journey. Surely, then, there was a reason for extra compensation; but notice this, this constitutional provision is only a license. It seems as though the framers of our constitution realized that such a condition of things would not last, and therefore, they did not say that the pay of Upper Peninsula members should be so much, but they wisely left the matter to each succeeding Legislature, so that as circumstances changed and conditions altered, equal justice might be done. How is it today? Not one of those hardships exist. The member from that portion of our commonwealth stays at his home until the time for meeting, and then rides to the Capitol by his choice of railroads, in all the luxury of a Pullman car, as does the member from any other locality. That these facts have been fully recognized by representative bodies of the State is proven by the fact that two constitutions for the State have been prepared by proper authority—one a convention of one hundred men in 1867 and the other by a commission of eighteen men in 1872—in both of which constitutions no discrimination was made in favor of Upper Peninsula members. Someone may say those gentlemen are farther from home, therefore, ought to have more pay. This fact is also provided for, as will be fully shown by reference to the report of the committee on mileage as shown in the journal of the present session. The gentleman who represents this city gets a few cents mileage; while the gentlemen from the Upper Peninsula get, as they ought to, many dollars; the member traveling the greatest distance nearly \$150.

In view of all these facts I am unable to concur in the recommendation that the bill do pass.

A. R. CHAPMAN,

Report accepted.

By the committee on railroads:

The committee on railroads to whom was referred

House bill No. 709, entitled

A bill to require railroad companies to give notice at stations whether passenger trains are on schedule time or not, and if late, how much,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 615, entitled

A bill to authorize the Erie & Kalamazoo railroad company to change its line of road from Palmyra Junction to Adrian,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled,

A bill to require the Erie & Kalamazoo railroad company to operate and maintain, or to abandon its line of road between Palmyra Junction and the city of Adrian,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cole,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State public school:

The committee on State public school, to whom was referred

House bill No. 525, entitled

A bill to amend chapter 52 of Howell's annotated statutes of Michigan, relative to the protection of children in certain cases by adding four new sections thereto to stand as sections 7, 8, 9 and 10 of said act,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

F. F. HOAGLIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoaglin,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

Senate bill No. 218 (file No. 99), entitled

A bill to enable the executive committee of the State agricultural society to permanently locate the place of holding its annual fairs,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

J. W. WATTS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs to whom was referred

House bill No. 656, entitled

A bill to organize a medical corps of the Michigan State troops,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the

bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

H. L. WOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wood,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs to whom was referred

House bill No. 55, entitled

A bill to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. L. WOOD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following :

EXECUTIVE OFFICE, }
Lansing, March 24, 1887. }

To the House of Representatives :

I have this day approved, signed and deposited in the office of the Secretary of State,

[House bill No. 401, being]

An act to authorize the township of Saint Joseph, in Berrien county, to borrow money to be used in the construction of a new bridge across the Saint Joseph river, in said township, on the highway leading from the village of Saint Joseph to the village of Benton Harbor, including the approaches thereto, and to issue bonds therefor.

Also,

[House bill No. 595, being]

An act to repeal act No. 200 of the local acts of the State of Michigan of 1850, being an act entitled An act to vacate the south half of block No. 6 in the village of Lawrence, in the county of Van Buren,

Also,

[House bill No. 73, file No. 11, being]

An act to define the qualifications of deputy-sheriffs and under-sheriffs to be hereafter appointed in this State.

Also,

[House bill No. 109, file No. 94, being]

An act to facilitate the disposal and settlement of taxes on vacant or part paid swamp, school, and other State lands.

Also,

[House bill No. 558, being]

An act to designate the place for holding the township meetings and elections for the township of Midland, in Midland county.

C. G. LUCE, *Governor.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, March 23, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 789, entitled

A bill to incorporate the village of Eagle, in Clinton county,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 23, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 287, entitled

A bill to cede jurisdiction to the United States of America, over land now occupied and to be occupied in the enlargement and improvement of "The Lake Superior Ship Canal Railway and Iron Company," and "The Portage Lake and River Improvement Company," Michigan,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 24, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 91 (file No. 38), entitled

A bill to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such association,

And to inform the House that the Senate has adopted a substitute therefor, as follows:

Senate file No. 157, being

Substitute for House bill No. 91 (file No. 38), entitled

A bill to provide for the incorporation and regulation of certain corporations, generally known as building and loan associations,

In the passage of which, as thus substituted, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The substitute bill was read a first and second time by its title, and pending its reference to a committee.

On motion of Mr. Linton,

The rules were suspended, two-thirds of all the members present voting therefor, and the substitute bill was put upon its immediate passage.

The substitute bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Killean,	Mr. Rounsville,
Allen,	Crocker,	Kirby,	Rumsey,
Anderson,	Damon,	Linton,	Simpson,
Ashton,	Diekema,	Manly,	Snow,
Baker, S.,	Dillon,	McCormick,	Spencer,
Baldwin,	Dougherty,	McGregor,	Stuart,
Bardwell,	Dunbar,	McKie,	Tindall,
Bates,	Eldred,	McMillan,	Vickary,
Beecher,	Engleman,	Ogg,	Vroman,
Bettinger	Green,	Oviatt,	Washburn,
Bentley,	Harper,	Perkins,	Watson F. H.,
Breen,	Haskin,	Pettit,	Watson, H.,
Brock,	Herrington,	Powers,	Watts,
Burr,	Hoaglin,	Preston,	Webber,
Cady,	Holt,	Reader,	Wellman,
Cannon,	Hosford,	Rentz,	Wilson,
Chamberlain,	Houk,	Robinson, J. W.	Wood,
Chapell,	Kelley,	Robinson, R.,	Speaker, 73
Chapman,			

NAYS.

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Title agreed to.

On motion of Mr. Linton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 24, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 843 (file No. 187), entitled

A bill to amend section 9 of act 156, of the session laws of 1851, entitled
“An act to define the powers and duties of the boards of supervisors of the

several counties, and to confer upon them certain local, administrative and legislative powers," being compiler's section 481, Howell's annotated statutes of Michigan.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 24, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No 301 (file No. 141) entitled

A bill to authorize the Calhoun county agricultural society to mortgage its real estate.

2. Senate bill No. 213 (file No. 145) entitled

A bill to amend section 8, of act number 203, of the public acts of 1877, entitled, "An act relative to dividing townships and villages into election districts, and to provide for the registration of electors in such cases,"

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The first named bill was read a first and second time by its title and referred to the committee on the agriculture.

The second named bill was read a first and second time by its title and referred to the committee on elections.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 24, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 110 (file No. 138), entitled

A bill to amend sections 1, 7 and 8 of act No. 144, of the public acts of 1883, entitled "An act to provide for the compulsory education of children in certain cases.

2. Senate bill No. 203 (file No. 143), entitled

A bill to legalize and validate the proceedings had up to and including the issuing of certain bonds issued by the township of Warren, in the county of Midland, State of Michigan,

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The first-named bill was read a first and second time by its title, and referred to the committee on education.

The second-named bill was read a first and second time by its title, and referred to the committee on local taxation.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 24, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following concurrent resolution :

WHEREAS, The Legislative Manual is completed and ready for circulation;

Be it Resolved by the House of Representatives (the Senate concurring), That a committee of five Representatives and three Senators be appointed to fix upon a basis of distribution,

Which the Senate has amended as follows, viz:

1. By striking out of line three the word "three" before the word "Senators" and inserting in lieu thereof the word "five."

In which amendment the House refused to concur, as appears by its message of this date.

And now to inform the House that on its said amendment the Senate insists.

Very respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

On the motion of Mr. S. Baker,

The resolution was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 24, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following concurrent resolution:

Resolved by the House (the Senate concurring), That the Quartermaster General be and is hereby authorized to loan the Michigan brigade, (uniform rank) Knights of Pythias, so much of the camp equipage belonging to the State as may be necessary to be used at the State encampment of that body;

Provided, That the Quartermaster General shall send competent persons in charge of said equipage, and that all the expense and damage, except ordinary wear and tear, shall be borne by the said Michigan brigade (uniform rank) Knights of Pythias;

And provided further, That the same shall not interfere with the use of the camp equipage by the State troops,

In the adoption of which the Senate has concurred.

Very Respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

The concurrent resolution was referred to the committee on engrossment and enrollment for enrollment.

THIRD READING OF BILLS.

House bill No. 578 (file No. 214), entitled

A bill to prevent the destruction of fish in Pine Lake, lying within the townships of Jefferson and Howard, in Cass county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dakin,	Mr. Manly,	Mr. Simpson,
Allen,	Damon,	McCormick,	Snow,
Anderson,	Dickson,	McGregor,	Spencer,
Ashton,	Diekema,	McKie,	Stuart,
Baker, S.,	Dillon,	McMillan,	Thompson,
Bardwell,	Dougherty,	Mulvey,	Tindall,
Bates,	Dunbar,	Ogg,	VanOrthwick,
Beecher,	Eldred,	Oviatt,	Vickary,
Bettinger,	Engleman,	Perkins,	Vroman,
Bentley,	Green,	Pettit,	Washburn,
Breen,	Harper,	Pierce,	Watson, F. H.
Brock,	Haskin,	Powers,	Watson, H.
Burr,	Hoaglin,	Reader,	Watts,
Cady,	Houk,	Rentz,	Wellman,
Chamberlain,	Kelley,	Robinson, J. W.,	Williams, T. H.
Chapell,	Killean,	Robinson, R.,	Williams, W. W.
Chapman,	Kirby,	Rogers,	Wilson,
Cole,	Lakey,	Rounsville,	Wood,
Crocker,	Lincoln,	Rumsey,	Speaker, 75

NAYS.

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Title agreed to.

On motion of Mr. Dickson,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

MOTIONS AND RESOLUTIONS.

Mr. Snow moved to take from the table

House bill No. 377, entitled

A bill to authorize the Board of Control of State swamp lands to make an appropriation of swamp lands, to drain and reclaim marsh and overflowed lands in the townships of Albee and Spaulding, Saginaw county,

Which motion prevailed.

On motion of Mr. Snow,

The bill was referred to the committee on drainage.

Mr. Green moved to take from the table

House bill No. 771, entitled

A bill to authorize Bay county to borrow money by loan upon its bonds to build a bridge across the Saginaw river at 3d street, Bay City,

Which motion prevailed.

On motion of Mr. Green,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Wilson moved to take from the table

House bill No. 556, entitled

A bill to authorize the township of Arthur, in Clare county, to borrow

money, to be used in public improvements in and for said townships, and to issue bonds therefor,

Which motion prevailed.

On motion of Mr. Wilson,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. W. W. Williams moved to take from the table the following concurrent resolution:

WHEREAS, The Legislative Manual is completed and ready for circulation;
Be it resolved by the House of Representatives (the Senate concurring),
That a committee of five Representatives and three Senators be appointed to fix upon a basis of distribution,

Which the Senate amended as follows:

By striking out of line three the word "three" before the word "Senators," and inserting in lieu thereof the word "five,"

Which motion prevailed.

The question being on concurring in the amendment made to the resolution by the Senate,

The House concurred.

GENERAL ORDER.

On motion of Mr. Eldred,

The House went into committee of the whole on the general order,

Whereupon the Speaker called Mr. Jones to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 298 (file No. 216), entitled

A bill for the incorporation of lodges of the Ancient Order of United Workmen,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following bill:

House bill No. 231 (file No. 219), entitled

A bill regulating and defining the duties of sheriffs, constables, and other officers, relative to the care and custody of prisoners in their charge,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

W. T. JONES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Vickary,

The House concurred in the amendments made by the committee to the first named bill, and it was placed on the order of third reading.

The second named bill was placed on the order of third reading.

On motion of Mr. Wood,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

On motion of Mr. Dougherty,

Leave of absence was granted to himself until April 1.

On motion of Mr. Vickary,

The rules were suspended, two-thirds of all the members present voting therefor, and

House bill No. 298 (file No. 216), entitled

A bill to provide for the incorporation of Lodges of the Ancient Order of United Workmen,

Was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Cole,	Mr. Makelim,	Mr. Rumsey,
Anderson,	Dakin,	Manly,	Spencer,
Ashton,	Damon,	McCormick,	Stuart,
Baker, S.,	Dickson,	McGregor,	Thompson,
Baker, W. A.,	Diekema,	McKie,	Tindall,
Baldwin,	Dougherty,	McMillan,	Vickary,
Bardwell,	Dunbar,	Mulvey,	Vroman,
Beecher,	Eldred,	Ogg,	Washburn,
Bettinger,	Engleman,	O'Keefe,	Watson, F. H.,
Bentley,	Harper,	Oviatt,	Watson, H.
Breen,	Herrington,	Perkins,	Watts,
Brock,	Hoaglin,	Pettit,	Webber,
Burr	Hosford,	Powers,	Williams, T. H.,
Cady,	Houk,	Preston,	Williams, W. W.
Cannon,	Kelly,	Reader,	Wilson,
Chamberlain,	Killeen,	Robinson, R.,	Wood,
Chapell,	Kirby,	Rounsville,	Speaker, 70
Chapman,	Lakey,		

NAYS.

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Title agreed to.

On motion of Mr. Vickary,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. R. Robinson offered the following:

Resolved, That the use of the hall of Representatives for Tuesday evening next, March 29th, be granted to Hon. M. H. Chamberlain, Mayor of Detroit, D. Bethune Duffield, Prof. O. A. Kent and others, for an expression of their best judgment upon the merits of the constitutional amendment regarding the liquor traffic to be voted upon at the coming election.

Mr. Oviatt moved that the resolution do lie on the table,

Which motion did not prevail.

The resolution was then adopted.

No. 636. By Mr. Wood: Petition for the passage of House bill No. 312. Referred to the committee on agriculture.

On motion of Mr. Mulvey,

Leave of absence was granted to himself until Tuesday next.

GENERAL ORDER,

On motion of Mr. Chapman,

The House went into the committee of the whole on the general order.

Whereupon the Speaker called Mr. Perkins to the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have also had under consideration the following bills:

1. House bill No. 602 (file No. 220), entitled

A bill to amend act No. 177 of the public acts of 1883, entitled "An act to authorize the board of control of the insane asylum at Traverse City to place the same under charge of the homeopathic school of medicine."

2. House bill No. 924 (file No. 227), entitled

A bill to amend section 4 of an act entitled "An act creating a bureau of labor and industrial statistics, and defining the powers and duties of the same," approved June 6, 1883, as amended by act No. 189 of the laws of 1885,

3. House bill No. 280 (file No. 228), entitled

A bill to authorize the board of State auditors to audit and allow to Daniel W. Walters the sum of four dollars per acre for forty acres of land, and interest on the same from the 4th day of September, 1885, to date.

4. House bill No. 338 (file No. 172), entitled

A bill to authorize the township of Portsmouth, in the county of Bay, to raise money by loan upon the bonds of the township.

5. House bill No. 520 (file No. 231), entitled

A bill to authorize the purchase of a tract of land adjacent to the State House of Correction and Reformatory at Ionia, and to make an appropriation therefor.

6. House bill No. 104 (file No. 115), entitled

A bill to provide for laying out and establishing a State road in Bay county, to be known as the "Williams and Garfield State road extension."

7. House bill No. 105 (file No. 116), entitled

A bill to designate and establish a State road in Bay county, to be known as the Williams and Garfield State road.

8. House bill No. 836, (file No. 165), entitled

A bill to prohibit unjust and oppressive agreements in leases and licenses and other instruments or conveyances hereafter granted for mining iron ore and to protect and secure lessees, licensees, grantees or vendees in such leases, licenses or other instruments or conveyances from the operation and effect of such agreements, and to define the rights, duties and liabilities of the parties to such leases, licenses and other instruments and conveyances,

9. House bill No. 896 (file No. 237), entitled,

A bill to amend sections 6 and 9 of an act entitled "An act to restrict the powers of the commissioner of highways of the township of Republic, in the county of Marquette, and to authorize the township board of said township to provide for maintaining the streets, sidewalks, crosswalks and alleys now or

hereafter built in the village of Republic, and to maintain a fire department, and to regulate and license auctioneers and peddlers in said village," approved April 29, 1885.

10. House bill No. 343 (file No. 212), entitled

A bill to authorize the city of Menominee to join with Wisconsin authorities and construct a bridge across Menominee river.

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills.

11. House bill No. 645 (file No. 232), entitled

A bill to amend section 53 of an act entitled "An act to regulate and govern the State House of Correction and Reformatory at Ionia," as amended by act number 24, of the session laws of 1885,

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

12. House bill No. 238 (file No. 224), entitled

A bill to regulate the issue and delivery of certificates for stock to stockholders,

13. House bill No. 237 (file No. 225), entitled

A bill to provide for the cancellation of stock certificates,

And have directed their chairman to report the same back to the House with the recommendation that they be indefinitely postponed.

The committee of the whole have also had under consideration the following bills:

14. House bill No. 196 (file No. 230), entitled

A bill to amend section 36 of chapter 341 of Howell's annotated statutes of the State of Michigan, being compiler's section 9778,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following bill:

15. House bill No. 205 (file No. 203), entitled

A bill to secure to women citizens who are otherwise qualified the right to vote in school, town, city and other municipal elections,

And have directed their chairman to report the same back to the House with the recommendation that it be made the special order for April 12 at 2.15 P.M.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth named bills were placed on the order of third reading.

On motion of Mr. Pierce,

The House concurred in the amendments made by the committee to the eleventh named bill, and it was placed on the order of third reading.

On motion of Mr. Eldred,

The House concurred in the recommendation of the committee relative to the twelfth and thirteenth named bills, and they were indefinitely postponed.

The question being on concurring in the action of the committee in striking out all after the enacting clause of the fourteenth named bill,

On motion of Mr. Webber,

The bill was recommitted to the committee of the whole and placed on the general order.

On motion of Mr. H. Watson,

The House concurred in the recommendation of the committee relative to the fifteenth named bill, and it was made the special order for April 12, at 2:15 P. M.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, March 25, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 540, entitled

A bill to establish and organize a municipal court in the city of East Saginaw, to be known and called "The police court of East Saginaw, and to repeal all of the provisions of the charter of the city of East Saginaw heretofore enacted to establish and organize a police court in the city of East Saginaw, and all acts and parts of acts in anywise contravening the provisions of this act,

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 25, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 690, entitled

A bill to revise the charter of the city of Muskegon and to define the boundaries of said city,

In the passage of which the House has concurred by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILEER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 25, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 268, entitled

A bill directing the Auditor General to issue monthly warrants on the State Treasury to Marion Robertson; widow of the late John Robertson, Adjutant General, for the salary which said John Robertson would be entitled to had he lived,

Which has passed the Senate by a two-thirds vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very Respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title, and pending its reference to a committee,

On motion of Mr. Diekema,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Manly moved to amend the bill by striking out the words "the full term for which he was appointed," and inserting in lieu thereof the words, "for the term of her natural life, or while she remains the widow of Gen. John Robertson, the sum of \$24 per month,"

Pending which,

Mr. J. W. Robinson moved to amend the amendment by making the amount \$50 per month, instead of \$24 per month.

After some discussion,

Mr. Crocker demanded the previous question.

The demand was not seconded.

The amendment to the amendment was then withdrawn.

The motion to amend the bill did not then prevail, two-thirds of all the members present not voting therefor.

The bill was then passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Lakey,	Mr. Robinson, R.,
Allen,	Damon,	Lincoln,	Rogers,
Anderson,	Dickson,	Makelim,	Rounsville,
Ashton,	Diekema,	McCormick,	Rumsey,
Baker, W. A.,	Dillon,	McKie,	Simpson,
Baldwin,	Dougherty,	McMillan,	Snow,
Bates,	Dunbar,	Mulvey,	Spencer,
Beecher,	Eldred,	Ogg,	Thompson,
Bettinger,	Engleman,	O'Keefe,	VanOrthwick,
Bentley,	Green,	Oviatt,	Vickary,

Mr. Breen,	Mr. Harper,	Mr. Pettit,	Mr. Vroman,
Brock,	Haskin,	Pierce,	Washburn,
Cady,	Hoaglin,	Powers,	Watson, F. H.,
Cannon,	Hosford,	Preston,	Watson, H.,
Chamberlain,	Houk,	Reader,	Webber,
Chapell,	Kelley,	Rentz,	Wilson,
Chapman,	Killeen,	Robinson, J. W	Speaker,
Cole,	Kirby,		

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NAYS.

Mr. Baker, S.,	Mr. McGregor,	Mr. Stuart,	Mr. Williams, T. H.
Manly,			5

Title agreed to.

On motion of Mr. Diekema,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 25, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to request the House to return to the Senate the following concurrent resolution :

Resolved by the House of Representatives (the Senate concurring), That when the Legislature adjourns on Friday, April 1, it stand adjourned until Wednesday, April 6, at 9.30 P. M.,

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The Speaker announced that the resolution being a matter which had been determined some days since, and being in no sense governed by the rules relative to bills, in that all action relating thereto was completed, it was not competent for the House to accede to the request of the Senate for the return of the resolution.

Mr. Oviatt appealed from the decision of the chair.

The Speaker stated the question to be, shall the judgment of the chair stand as the judgment of the House.

The vote being taken thereon, the ruling of the chair was sustained.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 25, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 197, entitled

A bill to restrict the powers of commissioners of highways in the township of Ironwood, in the county of Gogebic, and to authorize the township board of said township to provide for maintaining the streets, sidewalks, crosswalks, and alleys now built, or hereafter to be built, within the limits of the plat of the village of Ironwood, in said township, as laid down on plat of said village, duly recorded in the office of the Register of Deeds in

and for the county of Gogebic, and to authorize the township board of said township of Ironwood to maintain a fire department and to license hawkers, peddlers, and auctioneers within said township,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Rounsville moved to take from the table

House bill No. 204 (file No. 158), entitled

A bill to amend section 2, of chapter 2 of an act entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto, being act No. 227 of the session laws of 1885, approved June 20, 1885, relative to the appointment of county drain commissioners in certain cases.

Which motion prevailed.

On motion of Mr. Rounsville,

The bill was referred to the committee of the whole and placed on the general order.

Mr. Hosford offered the following:

Resolved by the House (the Senate concurring), That when the Legislature adjourns on Thursday, March 31, it stands adjourned until Wednesday, April 6, at 10 o'clock A. M.

Pending the order that the resolution lie over one day under the rules,

On motion of Mr. Hosford,

The rules were suspended, two-thirds of all the members present voting therefor, and the resolution was put upon its immediate consideration.

The resolution was then not adopted.

Mr. Wood offered the following:

Resolved, That when the House adjourns to-day it stands adjourned till Monday, March 28, at 2 P. M.

Which was not adopted.

On motion of Mr. Bettinger,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Rumsey,

Leave of absence was granted to himself for to-morrow.

On motion of Mr. Hoaglin,

Leave of absence was granted to himself until Wednesday next.

On motion of Mr. T. H. Williams,

Leave of absence was granted to W. W. Williams for to-morrow.

On motion of Mr. Eldred,

The House adjourned.

Lansing, Saturday, March 26, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Franklin.

Roll called: quorum present.

Absent without leave: Messrs. Allen, Baldwin, Bardwell, Chamberlain, Dickson, Harper, Hill, Holt, Hosford, Jones, Lakey, Linton, Pierce, Reader, Rounsville, Snow, Thomson, Tindall, Van Orthwick, F. H. Watson, Watts, Wellman, Wilson and Wood.

On motion of Mr. Haskin,

Leave of absence was granted to all absentees for the day.

On motion of Mr. Hoobler,

Leave of absence was granted to Mr. Baldwin until Tuesday next.

On motion of Mr. Preston,

Leave of absence was granted to Mr. Allen indefinitely on account of sickness.

On motion of Mr. Houk,

Leave of absence was granted to Mr. Wood indefinitely on account of sickness.

PRESENTATION OF PETITIONS.

No. 637. By Mr. T. H. Williams: Petition of C. M. Wise, Fred Hall and 110 others, asking that the garnishee law be so amended that corporations cannot be garnisheed for moneys due for labor performed.

On demand of Mr. T. H. Williams,

The petition was read at length, and spread at large on the journal, as follows:

To the Honorable, the Legislature of the State of Michigan:

The undersigned would respectfully petition your honorable body that the garnishee law may be so amended that corporations cannot be garnisheed for moneys due or to become due on account of labor performed for such corporations by any person for such work or labor.

Your petitioners would respectfully represent that they are in the employ of railroad companies doing business in this State, and that they ask for this amendment to the law because of the great hardships and injustice known to them to have been suffered by reason of the law as it now stands.

As a rule, when a railroad employé is garnisheed he is discharged. Then, again, the cost and trouble in defending in many, if not in most, cases is greater than the sum demanded, so that in either case it is better to submit to the injustice of payment of an unjust demand than to take the risk of discharge or cost of defense.

We would further represent that unfair advantage is taken of the law by those who press credit upon many with promise of sufficient time for payment which is there denied, and pay enforced, frequently costing great deprivation.

Again in case of sickness it happens frequently that after being able to go to work, a man is obliged to pay exorbitant charges or put to great cost, with the liability of losing his place and of being reduced to want when will-

ing and able to work, through the unjust application of the law. For these and other reasons of equal force which must be apparent to your honorable body, we ask that the law may be so amended that we can rely upon the proceeds of our labor for the support of ourselves and our families, and that mercenary traders will have no inducement to give credit, relying upon so unjust a law to enforce payment, and your petitioners will, as in duty bound, ever pray.

Referred to the committee on judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 561, entitled

A bill to authorize the committees of the Legislature on the several State institutions to visit them during the recess of the Legislature, and requiring them to report their observations in writing to the succeeding Legislature,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House without amendment and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. Watson,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 826, entitled

A bill supplementary to the charter of the city of Ann Arbor and relative to justices of the peace in said city,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manly,

The bill was laid on the table.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 349 (file No. 202), entitled

A bill to amend section 7, of act No. 254, of the session laws of 1869, entitled "An act to incorporate the village of Burlington," approved March 8, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Eldred,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 60 (file No. 18), entitled

A bill to amend section 1 of an act entitled "An act requiring judges of probate in certain cases to give notice to foreign consuls of an application for administration in the estate of deceased persons," being compiler's section 6812 of Howell's annotated statutes of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRET J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 91 (file No. 26), entitled

A bill to amend act No. 200 of the session laws of 1849, being compiler's section No. 750 of Howell's annotated statutes, relative to raising money by township boards,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 92 (file No. 27), entitled

A bill to amend section 75 of chapter sixteen of the revised statutes of 1846, being compiler's section No. 749 of Howell's annotated statutes, relative to powers and duties of township boards,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and asked to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 191 (file No. 69), entitled

A bill to require prosecuting attorneys to appear and conduct criminal proceedings in the Supreme Court in certain cases, and to provide for the payment of extra compensation therefor,

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 93 (file No. 28), entitled

A bill to amend section 3 of chapter 16 of the revised statutes of 1846, as amended by act No. 212 of the session laws of 1875, being compiler's section No. 671 of Howell's annotated statutes relative to the powers and duties of townships,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 381 (manuscript), entitled

An act to authorize the township of Blumfield to borrow money to be used in cleaning, dredging and straightening a portion of Cheboyganing Creek, in Saginaw county, and to issue bonds therefor,

Also,

House bill No. 382 (manuscript), entitled

An act to authorize the township of Frankenmuth to borrow money to be used in cleaning, dredging, and straightening a portion of Cheboyganing Creek, in Saginaw county, and to issue bonds therefor.

Also,

House bill No. 383 (manuscript), entitled

An act to authorize the township of Buena Vista to borrow money to be used in cleaning, dredging and straightening a portion of Cheboyganing Creek, in Saginaw county, and to issue bonds therefor.

Also,

House bill No. 199 (file No. 109), entitled

An act to amend section 22 of act No. 182, of the session laws of 1885, entitled "An act to provide for the appointment of a State live stock sanitary commission and a State veterinarian, and to prescribe their powers and duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State,"

ROBERT Y. OGG, *Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, March 25, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

Resolved by the Senate (the House concurring), That when the Legislature adjourns on Wednesday, the 30th inst., it stand adjourned until Wednesday, the 6th day of April at 9:30 P. M., all former resolutions to the contrary notwithstanding.

Which have passed the Senate by a majority vote of all the members elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Mr. H. Watson moved that the resolution do lie on the table.

Which motion did not prevail.

Mr. Bates moved to amend the resolution by striking out "Wednesday the 30th" and inserting the words "Thursday the 31st"; also by striking out "9:30 P. M." and inserting "10:30 A. M."

Mr. Oviatt moved to amend the amendment by making the hour for convening, 2 P. M.

Mr. Bates moved that the further consideration of the resolution be indefinitely postponed,

Which motion did not prevail.

The amendment to the amendment was then accepted.

The amendment to the resolution was then not agreed to.

Mr. Green moved to amend the resolution by making the hour for convening 10:30 P. M.

Which motion did not prevail.

The question then being on concurring in the adoption of the resolution, Mr. Bates demanded the yeas and nays.

The demand was seconded, and the resolution was concurred in by yeas and nays, as follows :

YEAS.

Mr. Baker, S.,	Mr. Dakin,	Mr. McCormick,	Mr. Rentz,
Baker W. A.,	Dillon,	McKie,	Robinson, R.
Bentley,	Dunbar,	Mulvey,	Rogers,
Breen,	Engleman,	Ogg,	Spencer,
Brock,	Hoobler,	O'Keefe,	Stuart,
Burr,	Houk,	Oviatt,	Vickary,
Cannon,	Lincoln,	Perkins,	Washburn,
Chapell,	Makelim,	Pettit,	Webber,
Cole,	Manly,	Powers,	Williams, T. H.
Crocker,			

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NAYS.

Mr. Abbott,	Mr. Chapman,	Mr. Haskin,	Mr. Robinson, J. W.
Anderson,	Mr. Damon,	Kelly,	Simpson,
Ashton,	Diekema,	Kirby,	Vroman,
Bates,	Eldred,	McMillan,	Watson, H.,
Beecher,	Green,	Preston,	Speaker.
Cady,			

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MOTIONS AND RESOLUTIONS.

Mr. Haskin offered the following:

Resolved, That when the House adjourn to-day, it stand adjourned until 2 P. M. on Monday, 28th inst.

Mr. Dakin moved to amend the resolution by making the hour for convening 9:30 P. M.,

Pending which,

On motion of Mr. W. A. Baker,

The resolution was laid on the table.

Mr. Ogg moved that the House adjourn,

Which motion did not prevail.

GENERAL ORDER.

On motion of Mr. Bates,

The House went into committee of the whole on the general order.

Whereupon the Speaker called Mr. Dunbar to the chair.

After some time spent therein the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following bills:

1. House bill No. 363 (file No. 100), entitled

A bill to change the name of the corporation of "Saint Anthony's Orphan Asylum," of the township of Hamtramck, in the county of Wayne.

2. House bill No. 230 (file No. 238), entitled

A bill to amend section 29 of act No. 232 of the session laws of 1885, entitled "An act to revise the laws providing for the incorporation of all manufacturing companies except such as are contemplated by act No. 42 of the session laws of 1867, which provides for the incorporations of persons or corporations engaged in the manufacture of salt, and mercantile companies, or any union of the two, and to fix the duties and liabilities of such corporations" by providing for joint suits against the corporation, and any or all the stockholders, for labor debts.

3. House bill No. 423 (file No. 239), entitled

A bill to incorporate the village of Naubinway, in the county of Mackinac and State of Michigan.

Have made no amendments thereto and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bill:

4. House bill No. 359 (file No. 236), entitled

A bill to protect fruit gardens and orchards.

And have directed their chairman to report the same back to the House with the recommendation that it be laid on the table.

ADDISON E. DUNBAR, *Chairman*.

Report accepted and committee discharged.

The first, second and third named bills were placed on the order of third reading.

On motion of Mr. Manly,

The House concurred in the recommendation of the committee relative to the fourth named bill, and it was laid on the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 693 (file No. 210), entitled

An act to amend section 1, of act No. 38 of the public acts of 1883, being An act to provide for adjustment of rights and liabilities on division of territory of cities and townships, approved April 21, 1883.

Also,

House bill No. 550 (manuscript), entitled

An act to establish and organize a municipal court in the city of East Saginaw to be known and called "the police court of East Saginaw," and to repeal all of the provisions of the charter of the city of East Saginaw heretofore enacted to establish and organize a police court in the city of East Saginaw, and all acts and parts of acts in any wise contravening the provisions of this act.

ROBERT Y. OGG, *Chairman.*

Report accepted.

On motion of Mr. Cannon,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: not a quorum present.

Mr. Bates moved that there be a call of the House;

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave:

Messrs. Cady, Crocker, Damon, Dillon, Dunbar, Houk, Kelley, McMillan, Ogg, Rentz, Rogers, Stuart, and Vroman.

On motion of Mr. Bates,

The Sergeant-at-Arms was instructed to take charge of the absentees as fast as they appear, and hold them subject to the action of the House.

On motion of Mr. Oviatt,

The House adjourned.

Lansing, Monday, March 28, 1887.

The House met pursuant to adjournment and was called to order by the Speaker, *pro tem*.

Prayer by Rev. Mr. Franklin.

Roll called: not a quorum present.

Absent without leave: Messrs. Beecher, Brock, Dickson, Diekema, Green, Grenell, Hill, Holt, Hosford, Markey, Manly, Perkins, Pierce, Powers, Reader, Rounselle, Tindall, VanOrthwick, H. Watson, Webber, and Wilson.

The Sergeant-at-Arms announced Mr. Dillon at the bar of the House, under the "call" of Saturday.

On motion of Mr. Oviatt,

Mr. Dillon was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Dunbar at the bar of the House, under the "call" of Saturday.

On motion of Mr. Chapman,

Mr. Dunbar was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Houk at the bar of the House under the "call" of Saturday.

On motion of Mr. McCormick,

Mr. Houk was admitted within the bar, rendered an excuse and took his seat.

The Sergeant-at-Arms announced Mr. Damon at the bar of the House under the "call" of Saturday.

On motion of Mr. McKie,

Mr. Damon was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Kelly at the bar of the House under the "call" of Saturday.

On motion of Mr. McKie,

Mr. Damon was admitted within the bar, rendered an excuse, and took his seat.

Mr. S. Baker moved that there be a call of the House:

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Beecher, Brock, Dickson, Diekema, Green, Hill, Holt, Hosford, Markey, Manly, Perkins, Pierce, Powers, Reader, Rounselle, Tindall, VanOrthwick, H. Watson, Webber, and Wilson.

On motion of Mr. S. Baker,

The Sergeant-at-Arms was dispatched after the absentees.

After some time,

The Sergeant-at-Arms announced Mr. Stuart at the bar of the House under the "call" of Saturday.

On motion of Mr. W. W. Williams,

Mr. Stuart was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Tindall at the bar of the House under the "call" of to-day.

On motion of Mr. W. A. Baker,

Mr. Tindall was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Hosford at the bar of the House under the "call" of to-day.

On motion of Mr. Cannon,

Mr. Hosford was admitted within the bar, rendered an excuse, and his seat.

The Sergeant-at-Arms announced Mr. Ogg at the bar of the House under the "call" of Saturday.

On motion of Mr. Oviatt,

Mr. Ogg was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Rounsville at the bar of the House under the "call" of to-day.

On motion of Mr. Lakey,

Mr. Rounsville was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Manly at the bar of the House under the "call" of to-day.

On motion of Mr. Cannon,

Mr. Manly was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Vroman at the bar of the House under the "call" of Saturday.

On motion of Mr. Lakey,

Mr. Vroman was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Grenell at the bar of the House under the "call" of to-day.

On motion of Mr. Lakey,

Mr. Grinnell was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. McMillan at the bar of the House under the "call" of Saturday.

On motion of Mr. Eldred,

Mr. McMillan was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Beecher at the bar of the House under the "call" of to-day.

On motion of Mr. Lakey,

Mr. Beecher was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Rentz at the bar of the House under the "call" of Saturday.

On motion of Mr. O'Keefe,

Mr. Rentz was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Cole,

Leave of absence was granted to Mr. Powers from the operations of the call.

On motion of Mr. Oviatt,

Leave of absence was granted to Mr. Reeder from the operations of the call and for the balance of the week.

On motion of Mr. W. W. Williams,

Leave of absence was granted to Mr. Rumsey indefinitely on account of sickness.

The following message was read:

West Branch, Mich., March 28, 1887.

Hon. E. N. Bates:

Have Diekema and myself excused for the day. Snow bound.

D. P. MARKEY.

Mr. Chapman moved that Messrs. Markey and Diekema be excused from the operations of the "call," and that they be excused until they are able to arrive.

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Rounsville at the bar of the House under the call of to-day.

On motion of Mr. Beecher,

Mr. Rounsville was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Webber at the bar of the House under the call of to-day.

On motion of Mr. Beecher,

Mr. Webber was admitted within the bar, rendered an excuse, and took his seat.

Mr. Haskin moved that leave of absence be granted to Mr. Crocker until Wednesday next, and also from the operation of the call.

Which motion did not prevail.

PRESENTATION OF PETITIONS.

No. 638. By Mr. Lakey: Petition of citizens of Kalamazoo asking municipal suffrage for women.

Referred to the committee on elections.

No. 639. By Mr. Bentley: Petition of J. B. Peters, B. Farrand, Charles Clement and others of Colon township, St. Joseph county, for the passage of House bill No. 313, to give stallions a lien on the foal to secure service.

Referred to the committee on agriculture.

No. 640. By Mr. Mulvey: Petition of Alfred Kidder, Peter White, O. B. Grant, and 54 others, in favor of protecting lessees under mining leases,

On demand of Mr. Mulvey,

The petition was read at length, and spread at large on the journal, as follows:

To the Legislature of the State of Michigan:

The undersigned residents of the city of Marquette, in the county of Marquette and State of Michigan, respectfully call your attention to the present State of the law in relation to mining leases.

The great bulk of the iron ore in the Upper Peninsula, is now mined under leases, very few of the mining companies being owners of the fee.

Some of those leases are worth more than one million of dollars each, and many of them are worth hundreds of thousands of dollars, and any legislation which makes the tenants reasonably secure, without infringing on the just rights of the landlords will greatly add to the prosperity of the Upper Peninsula.

We respectfully suggest the following changes in the law :

1. That no mining lease be forfeited unless at least thirty days' notice be given.

2. That justices of the peace and circuit court commissioners shall have no jurisdiction in questions of forfeiture.

3. That in case of mortgage foreclosure, one year be given for redemption where the lease has five or more years to run.

4. That such leases be assignable and when assigned in good faith, that the assignor shall not be liable for royalty thereafter.

5. That the forfeiting of leases be guarded, and limited to non-payment of royalty and taxes, making false reports of ore mined, or refusing to make any reports; for not working the mine, or working it in a dangerous manner.

6. That courts of chancery be given power to set aside forfeitures in all cases where justice requires it.

Marquette, Michigan, March, 1887.

Referred to the committee on mines and minerals.

No. 641. By Mr. Baumgardner: Petition of citizens of Manistee county asking the right of hunting and fishing in the great lakes and their bays and inlets.

Referred to the committee on fisheries.

No. 642. By Mr. Baumgardner: Petition of Knights of Labor for the passage of Senate bill No. 141.

Referred to the committee on labor interests.

No. 643. By Mr. T. H. Williams: Petition of 119 citizens of Jackson to forbid the garnishment of corporations for moneys due their employes.

On demand of Mr. T. H. Williams, the petition was read at length and and spread at large on the journal, as follows:

To the Honorable Legislature of the State of Michigan:

The undersigned would respectfully petition your honorable body that the garnishment law may be so amended that corporations cannot be garnished for monies due or to become due on account of labor performed for such corporation by any person for such work or labor.

Your petitioners would respectfully represent that they are in the employ of railroad companies doing business in the State, and that they ask for this amendment to the law because of the great hardships and injustice known to them to have been suffered by reason of the law as it now stands. As a rule, when a railroad employé is garnisheed, he is discharged.

Then again, the cost and trouble of defending in many, if not most, cases is greater than the sum demanded, so that in either case it is better to submit to the injustice of payment of an unjust demand than to take the risk of discharge or cost of defense. We would further represent that unfair advantage is taken of the law by those who press credit upon many with promise of sufficient time for payment, which is then denied and payment enforced, frequently causing great deprivation.

Again, in case of sickness it happens frequently that after being able to go to work a man is compelled to pay exorbitant charges, or put to great cost, with the liability of losing his place and of being reduced to want, when willing and able to work, through the unjust application of this law.

For these and other reasons of equal force which must be apparent to your honorable body, we ask that the law may be so amended that we can rely upon the proceeds of our labor for the support of ourselves and our families, and that mercenary traders will have no inducement to give credit relying upon so unjust a law to enforce payment, and your petitioners will as in duty bound, ever pray, etc.

Referred to the committee on judiciary.

No. 644. By Mr. Bardwell: Petition of O. W. Parsell, H. D. Nye, Thomas Foster and many others, asking for the passage of House bill No. 183, relative to the stallion lien.

Referred to the committee on agriculture.

No. 641. By Mr. Rounsville: Petition of citizens of Howell for the passage of the stallion lien bill.

Referred to the committee on agriculture.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,
Lansing, March 26, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State,

[House bill No. 594, being]

An act to repeal act No. 306 of the local acts of the State of Michigan of 1850, being an act to incorporate the Lawrence Literary Institute Association,

Also,

[House bill No. 381, being]

An act to authorize the township of Blumfield to borrow money to be used in cleaning, dredging and straightening a portion of Cheboyganing Creek, in Saginaw county, and to issue bonds therefor.

Also,

[House bill No. 382, being]

An act to authorize the township of Frankenmuth to borrow money to be used in cleaning, dredging and straightening a portion of Cheboyganing Creek, in Saginaw county, and to issue bonds therefor.

Also,

[House bill No. 383, being]

An act to authorize the township of Buena Vista to borrow money to be used in cleaning, dredging and straightening a portion of Cheboyganing Creek, in Saginaw county, and to issue bonds therefor,

Also,

[House bill No. 199 (file No. 109), being]

An act to amend section 22 of act No. 182 of the session laws of 1885, entitled "An act to provide for the appointment of a State live stock sanitary commission and a State veterinarian, and to prescribe their powers and du-

ties, and to prevent and suppress contagious and infectious diseases among the live stock of the State,"

C. G. LUCE,
Governor.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE,
Lansing, March 25, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State,

House bill No. 540, being

An act to establish and organize a municipal court in the city of East Saginaw to be known and called "the Police Court of East Saginaw," and to repeal all of the provisions of the charter of the city of East Saginaw heretofore enacted to establish and organize a police court in the city of East Saginaw, and all acts and parts of acts in anywise contravening the provisions of this act.

C. G. LUCE, Governor.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, March 26, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following concurrent resolution:

Resolved by the House (the Senate concurring), That the Secretary of State be and he is hereby authorized and directed to supply the Clerk of the House, and Secretary of the Senate, upon their order, a sufficient number of copies of the Legislative Manual for 1887 to supply one copy each to all clerks of committees, janitors, messengers, and other employes who have not already been supplied, their names to be printed on the covers of said books in gilt letters.

In the adoption of which the Senate has concurred.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The message was laid on the table.

GENERAL ORDER.

On motion of Mr. Oviatt,

The House went into committee of the whole on the general order,

Whereupon the Speaker called Mr. Ogg to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following bills:

1. Senate bill No. 53 (file No. 117), entitled

A bill to amend section 28 of chapter 178 of the compiled laws of 1871, being compiler's section 6841 of Howell's annotated statutes of Michigan, relative to courts held by justices of the peace,

2. House bill No. 70 (file No. 119), entitled

A bill authorizing the board of trustees of the Northern Michigan Asylum for the Insane to purchase certain lands for the use and benefit of said asylum, and making an appropriation for the payment thereof,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bill:

3. House bill No. 57 (file No. 243), entitled

A bill to amend sections 13 and 16 of chapter 3, sections 1, 2, 4, 18, 22, 24, 25 and 33 of chapter 4, sections 2, 3 and 4 of chapter 5, section 1 of chapter 6, sections 1, 8, 9, 13, 15, 17, 21, 25 and 65 of chapter 7, section 1 of chapter 8, sections 1, 7 and 8 of chapter 10, sections 9, 20, 24 and 28 of chapter 11, and to repeal sections 2, 3, 4, 5, 6, 7 and 66 of chapter 7, and sections 2 and 3 of chapter 8, of an act entitled An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith, approved June 7, 1883, and to add to chapter 8 of said act four new sections to stand as sections 2, 3, 4 and 5, so as to abolish the board of councilmen and to establish a board of estimates in and for the city of Detroit,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following bills:

4. Senate bill No. 97 (file No. 32), entitled

A bill to provide for the correction of frauds and mistakes in the canvass and returns made by inspectors of elections.

5. House bill No. 330 (file No. 222), entitled

A bill to preserve evidence of error or fraud in the counting of ballots and in election returns, and in the count of inspectors of election and the declaration of the board of canvassers, in contested elections,

And have directed their chairman to report the same back to the House with the recommendation that it be referred to the committee on judiciary.

The committee of the whole have also had under consideration the following bill:

House bill No. 698 (file No. 242), entitled

A bill to authorize the re-assessment and collection of drain taxes levied by virtue of the provisions of act No. 269 of the session laws of 1881, and remaining unpaid, and to make the same a lien upon the lands upon which they are assessed, and to make valid the collection of drain taxes and sale of property under re-assessments made under act No. 227 of the session laws of 1885, entitled "An act to provide for the construction and maintenance of drains and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto," approved June 20, 1885,

And have directed their chairman to report the same back to the House with the recommendation that it be referred to the committee on judiciary and drainage jointly.

ROBERT Y. OGG, *Chairman.*

Report accepted and committee discharged.

The first and second named bills were placed on the order of third reading.

On motion of Mr. Grenell,

The House concurred in the amendments made by the committee to the third named bill, and it was placed on the order of third reading.

On motion of Mr. Manly,

The House concurred in the recommendation of the committee relative to the fourth and fifth named bills, and they were referred to the committee on judiciary.

On motion of Mr. Cole,

The House concurred in the recommendation of the committee relative to the sixth named bill, and it was referred to the committees on judiciary and drainage.

Mr. Manly moved to take from the table

House bill No. 826, entitled

A bill supplementary to the charter of the city of Ann Arbor and relative to justices of the peace in said city,

Which motion prevailed.

On motion of Mr. Manly,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Manly,	Mr. Stuart,
Anderson,	Cole,	McKie,	Thompson,
Ashton,	Dakin,	Mulvey,	Tindall,
Baker, S.,	Damon,	Ogg,	Vickary,
Bardwell,	Dunbar,	O'Keefe,	Vroman,
Baumgardner,	Eldred,	Oviatt,	Washburn,
Beecher,	Grenell,	Pettit,	Watson F. H.,
Bettinger	Haskin,	Preston,	Watts,
Bentley,	Herrington,	Rentz,	Webber,
Breen,	Houk,	Robinson, J. W.	Wellman,
Burr,	Kelley,	Robinson, R.,	Williams, T. H.
Cannon,	Kirby,	Rounsville,	Williams, W. W.
Chamberlain,	Lakey,	Simpson,	Speaker, 55
Chapell,	Makelim,	Spencer,	

NAYS.

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Title agreed to.

Mr. J. W. Robinson offered the following:

Resolved, That the committee on supplies and expenditures be and are hereby instructed to purchase a set of postal scales for use in the document room of the House.

Which was adopted.

On motion of Mr. Watts,

Leave of absence was granted to himself until Thursday next.

On motion of Mr. Bentley,

Leave of absence was granted to himself until Thursday next.

On motion of Mr. Vickery,

Leave of absence was granted to himself until Thursday next.
On motion of Mr. Chamberlain,
Leave of absence was granted to himself until Thursday next.
On motion of Mr. Spencer,
Leave of absence was granted to himself until Thursday next.
By the committee on engrossment and enrollment:
The committee on engrossment and enrollment report as correctly enrolled,
signed and presented to the Governor, the following:
House bill No. 690 (manuscript), entitled
An act to revise the charter of the city of Muskegon and to define the
boundaries of said city.

ROBERT Y. OGG, *Chairman*.

Report accepted.
On motion of Mr. McKie,
The House adjourned.

Lansing, Tuesday, March 29, 1887.

The House met pursuant to adjournment and was called to order by the
Speaker *pro tem*.

Prayer by the Rev. Mr. Jameson.

Roll called: quorum present.

Absent without leave: Messrs. Lincoln, Dickson and Thompson.

On motion of Mr. Haskin,

Leave of absence was granted to Mr. Thompson for the day.

On motion of Mr. W. W. Williams,

Leave of absence was granted to Mr. Jones for the day.

On motion of Mr. Makelim,

Leave of absence was granted to Mr. Lincoln for the day.

The Sergeant-at-Arms announced Mr. H. Watson at the bar of the House.

On motion of Mr. Eldred,

Mr. H. Watson was admitted within the bar, rendered an excuse in
writing, and took his seat.

The excuse is as follows:

MR. SPEAKER—I understand there was a very severe storm in the House
yesterday afternoon brought on by a bill to abolish the Upper House in
Detroit, but I can assure you it was a very small and weak affair compared
to the storm we had the day before in Montcalm county.

“Was this a face

To be exposed against the warring winds,
To stand against the deep-bolted thunder,
In the most terrible and nimble stroke
Of quick cross lightning?”

Well, Mr. Speaker, in the midst of this storm, and in defiance of it, my
best cow had a calf. My highest priced cow and my longest pedigreed calf.
Think of it. I know I can appeal for sympathy to a House that adjourned.

to attend a short-horn sale. You see the situation was strained; and I even had to forego the duty and pleasure of attending a prohibitory amendment meeting to attend to that calf. It would seem that a calf so well bred ought to have had more sense than to have put in an appearance at so inopportune a time, but he didn't; he came into a cold world, and that too, apparently, without any idea of how he was to sustain life, and, Mr. Speaker, I came away just as soon as I got that fool of a calf learned to suck.

HENRY WATSON.

The Sergeant-at-Arms announced Mr. Hill at the bar of the House under the "call" of Monday.

On motion of Mr. Oviatt,

Mr. Hill was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Pierce at the bar of the House under the "call" of Monday.

On motion of Mr. Manly,

Mr. Pierce was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Green at the bar of the House under the "call" of Monday.

On motion of Mr. Webber,

Mr. Green was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Van Orthwick at the bar of the House under the "call" of Monday.

On motion of Mr. Mulvey,

Mr. Van Orthwick was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Rogers at the bar of the House under the "call" of Saturday.

On motion of Mr. W. A. Baker,

Mr. Rogers was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Diekema at the bar of the House under the "call" of Monday.

On motion of Mr. Ogg,

Mr. Diekema was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Markey at the bar of the House under the "call" of Monday.

On motion of Mr. Engleman,

Mr. Markey was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Perkins at the bar of the House under the "call" of Monday.

On motion of Mr. W. A. Baker,

Mr. Perkins was admitted within the bar, rendered an excuse, and took his seat.

The Sergeant-at-Arms announced Mr. Brock at the bar of the House under the "call" of Monday.

On motion of Mr. Cole,

Mr. Brock was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Manly,

By a vote of two-thirds of all the members elect,
House bill No. 826, entitled

A bill supplementary to the charter of the city of Ann Arbor and relative to justices of the peace in said city,

Was ordered to take immediate effect.

Mr. Beecher moved to take from the table

House bill No. 397, entitled

A bill to provide for an independent forestry commission of the State of Michigan, to define its duties, and to provide for the expense thereof,

Which motion prevailed.

On motion of Mr. Beecher,

The bill was referred to the committee on State affairs.

Mr. Oviatt presented the following:

WHEREAS, The position of chairman of the committee on municipal corporations of the House is one of the most, if not the most, laborious and important positions to which a member can be assigned;

AND WHEREAS, The Hon. Erastus N. Bates, of Allegan, has brought to that position an amount of zeal, energy and ability that has not only disposed of the business promptly and fairly, courteously hearing all sides of the many contested questions arising, and adjusting or deciding the same with unquestioned justice, to the satisfaction of the contestants themselves, but also conducting the business of the committee in a manner to win the good opinion and commendation of all his associates;

Therefore, the six associate members of that committee beg leave to make this special report for entry on the journal of the House, and

Further, as a slight token of their appreciation of the solid worth of their chairman and their good fellowship for him, to present herewith to the Hon. Erastus N. Bates this cane, with these lines:

To our Chairman:

Your fellows in labor, a token have brought,
Not much in itself; 'tis acceptance that's sought.
Age comes to the strongest, not one is exempt,
A cane you may now look upon with contempt;
But when strength is declining, and footsteps slow,
When life, at its longest, is short here below,
Recall then this meeting, where now we present
This staff, with our greeting: age then will consent.

GEO. OVIATT,
A. O. ABBOTT,
JOHN MAKELIM,
THEODORE RENTZ,
WM. S. LINTON,
CHAS. WELLMAN,

Members Committee on Municipal Corporations.

After which,

The Speaker assumed the chair.

Mr. Bates responded as follows:

GENTLEMEN OF THE COMMITTEE AND MEMBERS OF THE HOUSE:—My first

thought was to surrender without a word but that is impossible, and if it was within my power to convey to you the feelings which I have experienced during the reading of this resolution I would be satisfied. There are times when words fail us. Permit me to say that during the many and lengthy discussions had before our committee, and even where we have not been able to agree in our conclusions, I have not seen or heard one thing to mar or disturb my confidence and friendly feeling toward each of you.

Your action to-day, gentlemen, taken in this place and before this assembly, makes it to me the happiest and proudest moment of my life; and if to me the years may be added until I shall need this visible token, may my life be so guided and kept that this other and more substantial support, viz.: your confidence and respect, shall not be withheld.

Gentlemen, again I thank you.

PRESENTATION OF PETITIONS.

No. 646. By Mr. Herrington: Petition of F. D. Galbraith, A. B. Donelson, Wm. Willetts and 40 others, stockraisers of Oakland county, asking for the passage of the bill to protect the owners and keepers of stallions, file No. 183.

Referred to the committee on agriculture.

No. 647. By Mr. S. Baker: Petition of J. J. Valade, M. D., and 46 others, for the passage of House bill, file No. 510.

Referred to the committee on fisheries.

No. 648. By Mr. Perkins: Petition of D. H. Jerome and 691 taxpayers of Saginaw city, that a revision of the charter of said city, prepared by the common council of said city, and approved by the citizens generally, be substituted for the amended charter, contained in a bill presented by Milo Dakin on Feb. 21, 1887, and which passed the House March 11, 1887.

On demand of Mr. Perkins,

The petition was read at length, and spread at large on the journal, as follows:

To the Honorable the Senate and House of Representatives of the State of Michigan:

The undersigned citizens, business men and tax-payers of the city of Saginaw, respectfully show unto your honorable body, that a revision of the charter of the city of Saginaw, incorporating therein some needful amendments thereof, rendered necessary by recent decisions of the courts, and without which the purposes of the city government can only be very imperfectly accomplished, if at all, was prepared by the common council of the city, and approved by our people generally. That such changes were expressed in a bill revising the entire charter, to make it accord with the necessary modifications and such bill entitled "A bill to revise the charter of the city of Saginaw," was given Milo Dakin, now occupying the position of Representative of the said city in the House of Representatives, with a request to present the same to the Legislature and to secure its passage, which he faithfully promised to do.

That said bill, under its proper title, was presented in the House of Representatives on the 21st day of February, 1887, and on motion of said Dakin, and pending a reference to a committee, was laid on the table, where it was supposed to remain (without being printed), until the 11th of March, on which last named day it was taken from the table by its proper number and

title, and under a suspension of the rules and the assurance of said Dakin that it was all right, and desired by our people, passed, and on the same day sent to the Senate for concurrence. That the bill that so appears in the Senate is not the one given by the city authorities to said Dakin to be passed to a law, but an entirely different one, condemned by the intelligent and responsible portion of our people, containing principles obnoxious to them, and omitting those things that made a revision of our charter necessary. Therefore, we earnestly pray that the bill so prepared by our common council and approved by our people may be substituted for the bill so fraudulently put in its place, and such true bill passed to a law as soon as may be consistent with due consideration, and your petitioners will ever pray.

STATE OF MICHIGAN, }
CITY OF SAGINAW, } ss.

I, D. C. Dixon, assessor of the city of Saginaw, hereby certify that the assessed valuation of the real and personal estate of the city of Saginaw for the year 1886 was \$4,911,500; that I have examined the amounts assessed for said year against the names on the petition hereto attached, and have found the aggregate amount assessed against the parties whose names are attached to said petition to be \$3,050,290.

In witness whereof I have hereunto set my hand and the seal of the city of Saginaw this 23d day March, 1887.

[SEAL.]

D. C. DIXSON, *Controller*.

Referred to the committee on municipal corporations.

No. 649. By Mr. Perkins: Petition for the passage of House bill No. 417, relative to a State drain in the township of Hebron, Cheboygan county.

Referred to the committee on drainage.

No. 650. By Mr. Perkins: Petition for leave to bond the county of Presque Isle for certain purposes.

Referred to the committee on towns and counties.

No. 651. By the Speaker: Communication of E. A. Stowe, relative to the establishment of a laboratory of hygiene.

The communication was read at length, and spread at large on the journal, as follows:

Grand Rapids, Michigan, March 27, 1887.

Hon. Daniel P. Markey, Lansing:

DEAR SIR—At the recent convention of the Michigan Business Men's Association, which comprises 1868 business men in 54 cities and towns in this State, a resolution was unanimously adopted requesting the Legislature to pass the appropriation asked for for the establishment of a laboratory of hygiene. Such an institution would be invaluable to the business public of the State.

Please present this request in the House and oblige,

Yours truly,

E. A. STOWE,

Secy. M. B. M. A.

Referred to committee on public health.

No. 652. By Mr. McKie: Petition of John S. Beers, W. G. Mislser, H. G. Allison, C. D. Sheaver and 14 others, relative to relief to townships in the matter of railroad bonds.

Referred to the committee on State affairs.

REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred
House bill No. 333, entitled

A bill to amend section 4 of chapter 12 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, and being act No. 326 of the session laws of 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred
House bill No. 398, entitled

A bill to amend section 2 of chapter 4 of act 326 of the session laws of 1883, entitled "An act to provide a charter of the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, as amended by act approved June 10, 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred
Senate bill No. 42 (file No. 22), entitled

A bill in relation to jurors in courts of record in the county of Wayne, and to revise the laws relative thereto,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, March 28, 1887. }

To the House of Representatives :

I have this day approved, signed and deposited in the office of the Secretary of State,

House bill No. 690, being

An act to revise the charter of the city of Muskegon, and to define the boundaries of said city.

C. G. LUCE, *Governor.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to re-return to the House the concurrent resolution which; as finally agreed upon by the two houses, reads as follows:

WHEREAS, The Legislative Manual is completed and ready for circulation;
Be it resolved by the House of Representatives (the Senate concurring),
 That a committee of five Representatives and five Senators be appointed to fix upon a basis of distribution,

And to inform the House that Senators Sharp, Edwards, Giddings, Wisner and Barringer have been appointed as such committee on the part of the Senate.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The message was laid upon the table.

Mr. Eldred moved to take from the table

House bill No. 349 (file No. 202), entitled

A bill to amend section 7 of act No. 254 of the session laws of 1869, entitled "An act to incorporate the village of Burlington," approved March 8, 1869,

Which motion prevailed.

On motion of Mr. Eldred,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Linton,	Mr. Rogers,
Anderson,	Dillon,	Makelim,	Rounsville,
Ashton,	Dunbar,	Manly,	Simpson,
Baker, S.,	Eldred,	McCormick,	Spencer,
Baker, W. A.,	Engleman,	McKie,	Stuart,
Baldwin,	Green,	McMillan,	Tindall,
Bates,	Grenell,	Mulvey,	VanOrthwick,
Baumgardner,	Harper,	Ogg,	Vroman,
Beecher,	Haskin,	O'Keefe,	Washburn,

Mr. Bettinger,	Mr. Herrington,	Mr. Oviatt,	Mr. Watson, F. H.,
Breen,	Hill,	Perkins,	Watson, H.
Brock,	Hosford,	Pettit,	Webber,
Burr,	Houk,	Pierce	Wellman,
Cannon,	Kelley,	Preston,	Williams, T. H.
Chapman,	Killean,	Rentz,	Williams, W. W.
Cole,	Kirby,	Robinson, J. W.	Wilson,
Dakin,	Lahey,	Robinson, R.,	Speaker,
Damon,			

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NAYS.

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Title agreed to.

On motion of Mr. Eldred,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

THIRD READING OF BILLS.

House bill No. 231 (file No. 219), entitled

A bill regulating and defining the duties of sheriffs, constables, and other officers, relative to the care and custody of prisoners in their charge,

Was read a third time and pending the taking of the vote on the passage thereof,

Mr. Oviatt moved to strike out the enacting words of the bill,

Which motion prevailed.

On motion of Mr. Oviatt,

The body of the bill was laid on the table.

House bill No. 602 (file No. 220), entitled

A bill to amend act No. 177 of the public acts of 1883, entitled "An act to authorize the board of control of the insane asylum of Traverse City to place the same under charge of the homeopathic school of medicine,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. S. Baker,

The bill was laid upon the table.

House bill No. 924 (file No. 227), entitled

A bill to amend section 4 of an act entitled "An act creating a bureau of labor and industrial statistics, and defining the powers and duties of the same," approved June 6, 1883, as amended by act No. 189 of the laws of 1885,

Was read a third time, and pending the taking the vote on the passage thereof,

Mr. Washburn moved to amend the bill by striking out of line 9, section 4, the word "three" and inserting the word "five,"

Which motion did not prevail.

Mr. Cole moved to amend the bill by striking out in line 9, section 4, the word "three" and inserting the word "four."

Mr. Stuart moved as a substitute that the word "six" be inserted instead of the word "four,"

Which was not agreed to.

The motion to amend then prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Lakey,	Mr. Robinson, J. W.
Anderson,	Diekema,	Linton,	Rogers,
Baker, S.,	Dillon,	Makelim,	Simpson,
Baker, W. A.,	Dunbar,	Manly,	Spencer,
Baldwin,	Eldred,	McCormick,	Stuart,
Bardwell,	Engleman,	McKie,	Tindall,
Bates,	Green,	McMillan,	Van Orthwick,
Baumgardner,	Grenell,	Mulvey,	Vroman,
Beecher,	Harper,	Ogg,	Washburn,
Bettinger,	Haskin,	O'Keefe,	Watson, F. H.,
Breen,	Herrington,	Oviatt,	Webber,
Brock,	Hill,	Perkins,	Wellman,
Burr,	Hosford,	Pettit,	Williams, T. H.
Cannon,	Houk,	Pierce,	Williams, W. W.
Chapell,	Kelley,	Preston,	Wilson,
Cole,	Killean,	Rentz,	Speaker,
Dakin,	Kirby,		66

NAYS.

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Title agreed to.

House bill No. 280 (file No. 228), entitled

A bill to authorize the board of State auditors to audit and allow to Daniel W. Walters the sum of four dollars per acre for forty acres of land, and interest on the same from the 4th day of September, 1885, to date,

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Linton,	Mr. Robinson, R.,
Anderson,	Cole,	Makelim,	Rogers,
Ashton,	Damon,	Manly,	Rounsville,
Baker, S.,	Dunbar,	McCormick,	Simpson,
Baker, W. A.,	Eldred,	McMillan,	Spencer,
Bardwell,	Engleman,	Mulvey,	Stuart,
Bates,	Green,	Ogg,	Tindall,
Baumgardner,	Grenell,	O'Keefe,	Van Orthwick,
Beecher,	Harper,	Oviatt,	Vroman,
Bettinger,	Haskin,	Perkins,	Washburn,
Breen,	Hosford,	Pettit,	Watson, F. H.,
Brock,	Kelly,	Pierce,	Watson, H.,
Burr,	Killean,	Preston,	Webber,
Cannon,	Kirby,	Rentz,	Wellman,
Chapell,	Lakey,	Robinson, J. W.	Williams, W. W.
			60

NAYS.

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The question being on agreeing to the title,

Mr. Killean moved to amend the title by striking out the word "H. Walters" and inserting the word "H. Watters,"

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Killean,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 338 (file No. 172), entitled

A bill to authorize the township of Portsmouth, in the county of Bay, to raise money by loan upon the bonds of the township,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dakin,	Mr. Lakey,	Mr. Rounsville,
Anderson,	Damon,	Linton,	Simpson,
Ashton,	Dillon,	Manly,	Spencer,
Baker, S.	Dunbar,	McCormick,	Stuart,
Baker, W. A.,	Eldred,	Mulvey,	Tindall,
Baldwin,	Engleman,	Ogg,	Van Orthwick,
Bardwell,	Green,	O'Keefe,	Vroman,
Bates,	Grenell,	Oviatt,	Washburn,
Baumgardner,	Harper,	Perkins,	Watson, F. H.
Bettinger,	Haskin,	Pettit,	Watson, H.
Breen,	Herrington,	Pierce,	Webber,
Brock,	Hill,	Preston,	Wellman,
Burr,	Hosford,	Rentz,	Williams, T.H.
Cannon,	Houk,	Robinson, J.W.	Williams, W.W.
Chapell,	Kelley,	Robinson, R.,	Wilson,
Chapman,	Killean,	Rogers,	Speaker,
Cole,	Kirby,		

66

NAYS.

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Title agreed to.

On motion of Mr. Green,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 520 (file No. 231), entitled

A bill to authorize the purchase of a tract of land adjacent to the State House of Correction and Reformatory at Ionia, and to make an appropriation therefor,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Haskin moved to strike out the enacting words of the bill,

Mr. Abbott demanded the previous question.

The demand was not seconded.

The motion to strike out the enacting words of the bill prevailed.

On motion of Mr. Haskin,

The body of the bill was laid on the table.

House bill No. 104 (file No. 115), entitled

A bill to provide for laying out and establishing a State road in Bay county, to be known as the "Williams and Garfield State road extension,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Linton,	Mr. Rogers,
Ashton,	Diekema,	Makelim,	Rounsville,
Baker, S.	Dunbar,	Manly,	Simpson,
Baker, W. A.,	Eldred,	McCormick,	Stuart,
Bardwell,	Engleman,	McKie,	Tindall,
Bates,	Green,	McMillan,	Van Orthwick,
Beecher,	Grenell,	Mulvey,	Vromam,
Breen,	Harper,	Ogg,	Washburn,
Brock,	Haskin,	O'Keefe,	Watson, F. H.
Burr,	Herrington,	Oviatt,	Watson, H.,
Cannon,	Hill,	Pettit,	Wellman,
Chapell,	Hosford,	Rentz,	Williams, W. W
Chapman,	Houk,	Robinson, J. W,	Wilson,
Cole,	Kelley,	Robinson, R.,	Speaker, 58
Dakin,	Lakey,		

NAYS.

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Mr. Brock moved to reconsider the vote by which the House passed the bill,

Which motion prevailed.

The question being on the passage of the bill,

Mr. Green moved that the further consideration of the bill be indefinitely postponed,

Which motion did not prevail.

On motion of Mr. Brock,

The bill was recommitted to the committee on roads and bridges.

On motion of Mr. Hill,

Leave of absence was granted to himself until Thursday next.

On motion of Mr. Cole,

Leave of absence was granted to himself indefinitely.

On motion of Mr. Oviatt,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the

THIRD READING OF BILLS.

House bill No. 230 (file No. 238), entitled

A bill to amend section 29 of act No. 232 of the session laws of 1885, entitled "An act to revise the laws providing for the incorporation of all manufacturing companies except such as are contemplated by act No. 42 of the session laws of 1867, which provides for the incorporations of persons or corporations engaged in the manufacture of

salt, and mercantile companies, or any union of the two, and to fix the duties and liabilities of such corporations" by providing for joint suits against the corporation, and any or all the stockholders, for labor debts.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dakin,	Mr. Makelim,	Mr. Robinson, R.,
Ashton,	Damon,	Manly,	Rogers,
Bardwell,	Dunbar,	McCormick,	Rounsville,
Bates,	Eldred,	McMillan,	Simpson,
Baumgardner,	Engleman,	Mulvey,	Stuart,
Beecher,	Green,	Ogg,	Tindall,
Bettinger,	Grenell,	O'Keefe,	Van Orthwick,
Breen,	Harper,	Oviatt,	Vroman,
Brock,	Haskin,	Perkins,	Washburn,
Burr,	Hosford,	Pettit,	Watson, H.,
Cannon,	Kelley,	Pierce,	Webber,
Chapell,	Killean,	Rentz,	Wellman,
Cole,	Linton,	Robinson, J. W	Wilson, 52

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Mr. Lakey,	Mr. Williams, T.H.	2
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Title agreed to.

Mr. Haskin moved to take from the table

House bill No. 33, entitled

A bill relative to fees of notaries on protest notices on notes and bills of exchange,

Which motion prevailed.

On motion of Mr. Haskin,

The bill was referred to the committee on judiciary.

GENERAL ORDER.

On motion of Mr. Oviatt,

The House went into committee of the whole on the general order,

Whereupon the Speaker called Mr. O'Keefe, to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bills:

1. House bill No. 322 (file No. 240), entitled

A bill to amend section 5219 of the compiled laws of 1871, being section 6782 of Howell's statutes relative to appeals from orders of probate courts,

2. House bill No. 327 (file No. 247), entitled

A bill to authorize the sale in certain cases of land devised or bequeathed by will without power of sale,

3. House bill No. 705 (file No. 249), entitled

A bill to amend section 15, chapter 179, compiled laws of 1871, relative to criminal proceedings before justices of the peace, as amended by act No. 169, session laws of 1877, being compiler's section 7106 Howell's annotated statutes,

4. House bill No. 704 (file No. 251), entitled

A bill to amend section 3 of an act relative to the costs of proceedings in criminal cases, approved March 13, 1849, being section 7490 of the compiled laws of 1871, as amended by act No. 213, session laws of 1879, being compiler's section 9065, Howell's annotated statutes,

5. House bill No. 149 (file No. 252), entitled

A bill to authorize the county of Presque Isle to issue bonds and to create a sinking fund for the payment thereof, and of bonds heretofore issued.

6. Senate bill No. 106 (file No. 46) entitled

A bill to amend section 25, of an act entitled "An act to amend, revise, and consolidate the laws organizing asylums for the insane, and regulating the care and management thereof, and of the inmates therein, and to repeal act 164, laws of 1859; also act 194, laws of 1877; also act 91, laws of 1873, and the acts amendatory thereof; also act 172, laws of 1873," being act 135, laws of 1885,

7. House-bill No. 586 (file No. 254, entitled

A bill making an appropriation for the purchase of books for the State library, and for other purposes pertaining to the State library for the years 1887 and 1888.

8. Senate bill No. 255 (file No. 134), entitled

A bill to amend sections 5 and 6 of act No. 310 of the local acts of 1877, approved April 21, 1877, being an act entitled, "An act to regulate the time for holding the annual meeting, and the manner of electing trustees in union school district No. 1 of the city of Jackson, and to repeal section 2 of act 340 of the session laws of 1875," approved April 22, 1875,

9. Senate bill No. 124 (file No. 108), entitled

A bill to facilitate the commencement of suits in justice courts against joint defendants, one or more of whom shall not reside in or be found in the county where the suit shall be brought.

10. Senate bill No. 293, (file No. 132), entitled

A bill to provide for the completion of biographical and historical work commenced by the semi-Centennial Commission.

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following joint resolutions:

11. House joint resolution No. 13 (file No. 4, entitled

Joint resolution authorizing and instructing the Secretary of State to furnish the Commissioner of Railroads with certified copies of articles of association, and other papers connected with the corporate organization of railroads and filed in the office of said Secretary of State, under the provisions of the general railroad laws,

12. House joint resolution No. 11 (file No. 6), entitled

Joint resolution granting blocks Nos. 78 and 79, city of Lansing, to the city of Lansing for a public park,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

13. House bill No. 909 (file No. 248) entitled

A bill to amend section 6440 of the compiled laws of 1871, being section

8031 of Howell's annotated statutes of Michigan, relative to the liability of garnishees in justice courts,

14. House bill No. 659 (file No. 209), entitled

A bill to amend act 179 of the public acts of 1883, entitled "An act to regulate the width of wagon tires to be used with lumber wagons,

15. House bill No. 204 (file No. 158), entitled

A bill to amend section 2 of chapter 2 of an act entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto, being act No. 227 of the session laws of 1885, approved June 20, 1885, relative to the appointment of county drain commissioners in certain cases,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House asking concurrence therein, and recommend their passage.

RICHARD O'KEEFE, *Chairman.*

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth named bills and eleventh and twelfth named joint resolutions were placed on the order of third reading.

On motion of Mr. Rounsville,

The House concurred in the amendments made by the committee to the thirteenth, fourteenth and fifteenth named bills, and they were placed on the order of third reading.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 853, entitled.

A bill to incorporate the city of Harbor Springs, and to repeal act No. 853 of the session laws of 1881, entitled "An act to incorporate the village of Harbor Springs,"

Respectfully report that in this matter we have made careful investigation and find that bills have been introduced for city incorporations for the villages of Petoskey and Harbor Springs, in Emmet county, the former in Bear Creek township, containing a population of 2,500, the latter in Little Traverse township with less than 1,000 population. We found that the Harbor Springs bill was introduced in the main as a counter bill to the one introduced by Petoskey.

We were assured that the incorporation of Petoskey into a city was not wanted by a majority of the citizens of that place, and will not be asked of this legislature. We therefore believe that to incorporate the village of Harbor Springs into a city would give Little Traverse township an advantage on the board of supervisors not desirable to the remaining portion of the county and the committee have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Perkins,

The bill was laid upon the table.

On motion of Mr. Manly,

Leave of absence was granted to himself until Thursday next.

On motion of Mr. Chapell,

Leave of absence was granted to Mr. F. H. Watson until Thursday next.

On motion of Mr. Eldred,

Leave of absence was granted to himself for the balance of the week.

On motion of Mr. Breen,

Leave of absence was granted to himself for the balance of the week.

Mr. T. H. Williams moved to take from the table

House bill No. 353, entitled

A bill making an appropriation for the support of the Michigan School for the Blind,

Which motion prevailed.

On motion of Mr. T. H. Williams,

The bill was referred to the committee on Michigan School for the Blind.

Mr. Dillon moved to take from the table

House bill No. 760, entitled

A bill to provide uniform and free text books for the public schools of Michigan,

Which motion prevailed.

On motion of Mr. Dillon,

The bill was referred to the committee on education.

Mr. Linton moved that

House bill No. 519, entitled

A bill to amend section 21 of an act entitled "An act to authorize the formation of companies for the running, booming, and rafting of logs," being chapter 114 of Howell's annotated statutes of Michigan, as amended by act No. 80 of the laws of 1883, and to add to said chapter a new section to stand as section 22,

Be printed for the use of the committee on lumber and salt.

Which motion prevailed.

The bill accompanied the motion.

Mr. Manly moved to discharge the committee on education from the further consideration of

House bill No. 26 (file No. 4), entitled

A bill to regulate the uniformity of text books in public schools throughout the State, and the distribution of the same, and to repeal all statutes and acts controvening the provisions of this act,

Which motion prevailed.

Mr. Damon offered the following:

Resolved (the Senate concurring), That from and after Tuesday, May 24, 1887, the two branches of this Legislature will transact no other business than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals by the Secretary of the Senate and the Clerk of the House, and the time of final adjournment of this Legislature shall be Friday, May 27, at 12 M. on that day.

Laid over one day under the rules.

On motion of Mr. Lakey,

The House adjourned.

Lansing, Wednesday, March 30, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Roberts.

Roll called: quorum present.

Absent without leave: Mr. Anderson.

On motion of Mr. Ashton,

Leave of absence was granted to Mr. Anderson for the day.

On motion of Mr. Cannon,

All further proceedings under the calls of Saturday and Monday were dispensed with.

Mr. H. Watson offered the following:

WHEREAS, The gathering of crowds in this hall in the evening has resulted in defacement of the gallery walls, and in serious inconvenience to members, clerks, and other officers of the House, therefore,

Resolved, That during the remainder of this session of the Legislature, the hall be reserved exclusively for the use of the House and such visitors as may attend upon its sessions, and for such public hearings as have an immediate bearing upon pending legislation.

Which was adopted.

PRESENTATION OF PETITIONS.

No. 653. By Mr. Ashton: Petition of Rev. Fra. Myssen, Anthony Adenan, John Barry, and 153 others relative to the holding of Catholic church property.

On demand of Mr. Ashton,

The petition was read at length and spread at large upon the journal, as follows:

To the Honorable, the House of Representatives of the State of Michigan:

The undersigned respectfully protest against the enactment of any law altering, or changing, or affecting in any way the manner of holding property for Catholic churches, or for the use of Catholics as such, from its present standing on the statutes of this State. We claim such a change would be a detriment to church, to society, and the State at large. We, the undersigned, as Catholics, protest in an emphatic and especial manner against the so-called "Gorman bill," and respectfully ask that the statutes in regard to holding Catholic church property shall remain as they now exist in this State.

Referred to the committee on religious and benevolent societies.

No. 652. By Mr. Perkins: Resolutions of Knights of Labor of Petoskey.

On demand of Mr. Perkins,

The resolutions were read at length, and spread at large upon the journal, as follows:

Resolution of Bear River Assembly No. 5910, K. of L., located at Petoskey, Mich., passed at regular session, March 26, 1887.

"Resolved, That our State Senator and Representative be requested to use their influence to sustain all labor bills now pending before the Legislature for the benefit of the laboring classes."

The resolutions were laid on the table.

No. 654. By Mr. Dakin: Resolutions of citizens of Saginaw relative to the action of Representative Dakin.

On demand of Mr. Dakin,

The resolutions were read at length, and spread at large on the journal, as follows:

Saginaw, March 28, 1887.

At a meeting of over 800 citizens of Saginaw, the following preamble and resolutions were adopted without a dissenting voice:

WHEREAS, Certain parties in this city have circulated false reports and slanders for the purpose of injuring the Hon. Milo H. Dakin among his constituents; therefore

Resolved, That we, the citizens of Saginaw City, in mass convention assembled, do hereby denounce said reports as malicious slanders, and that we hereby tender our thanks to the Hon. Milo H. Dakin for the noble defense he has made against the attempt to defraud his constituents of their just rights.

Resolved, That a copy of this preamble and resolutions be sent to the Clerk of the Senate and House of Representatives, and be published in the daily papers.

A. A. GRIFFIN, *Chairman.*

JOSEPH SAUNDERS, *Secretary.*

Referred to the committee on municipal corporations and labor interests jointly.

REPORTS OF STANDING COMMITTEES.

By the committee on labor interests:

The committee on labor interests, to whom was referred House bill No. 358, entitled

A bill to prohibit the use of scrip or store orders in the payment of wages of laborers in mines, mills, shops and factories,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. OVIATT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on labor interests:

The committee on labor interests, to whom was referred House bill No. 636, entitled

A bill to regulate the employment of labor in prisons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GEO. OVIATT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Oviatt,

The bill was laid on the table.

By the committee on labor interests:

The committee on labor interests, to whom was referred
House bill No. 582, entitled

A bill to provide for the better protection of health, comfort and safety of persons employed in shops and factories,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. OVIATT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

House bill No. 312 (file No. 183), entitled

A bill to protect the owners of stallions,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. W. WATTS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Watts,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 789 (manuscript), entitled

An act to incorporate the village of Eagle in Clinton county.

Also,

House bill No. 843, (file No. 187,) entitled

A bill to amend section 9 of act 156 of the session laws of 1851, entitled "An act to define the powers and duties of the boards of supervisors of the several counties, and to confer upon them certain local, administrative and legislative powers," being compiler's section No. 481 of Howell's annotated statutes of Michigan.

ROBERT Y. OGG, *Chairman.*

Report accepted.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 143, entitled

A bill to change the name of Edwin N. Chapman to Edwin N. Brown, and to make him the heir-at-law of Thomas J. Brown and Ann T. Brown,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to change the name of Edwin N. Chapman to Edwin N. Brown.

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 108, entitled

A bill to provide for the garnishment of executors and administrators,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 257, entitled

A bill to furnish the probate court of each organized county in this State a full set of the reports of the supreme court and a suitable digest thereto,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the furnishing to the probate court of each organized county in this State with a full set of the reports of the supreme court of the State of Michigan,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 469, entitled

A bill to amend sections 9 and 10 of chapter 237, being compiler's sections 6231 and 6232 of Howell's annotated statutes of Michigan, relative to divorce, and to add two new sections to said chapter 237 to stand as sections 44 and 45,

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend sections 9 and 10 of chapter 170 of the compiled laws of Michigan of 1871, being compiler's sections 6231 and 6232 of Howell's annotated statutes of Michigan, relative to divorce, and to add three new sections to said chapter to stand as sections 44, 45 and 46,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

House bill No. 26 (file No. 4), entitled

A bill to regulate the uniformity of text books in public schools throughout the State, and the distribution of the same, and to repeal all statutes and acts contravening the provisions of this act,

Respectfully report the same back to the House in accordance with its order.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manly,

The bill was referred to the committee of the whole and placed on the general order.

The Speaker announced the following:

In pursuance of the concurrent resolution, heretofore adopted, providing for the distribution of the legislative manual on a basis to be agreed upon by a joint committee of the House and Senate, I hereby appoint as the members of said committee on the part of the House, Messrs. H. Watson, Holt, Cole, Hosford and Snow.

D. P. MARKEY,
Speaker of the House.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, March 29, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State,

[House bill No. 693 (file No. 210), being]

An act to amend section 1, of act No. 38 of the public acts of 1883, entitled An act to provide for adjustment of rights and liabilities on division of territory of cities and townships, approved April 21, 1883.

O. G. LUCE, *Governor.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, March 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 826, entitled

A bill supplementary to the charter of the city of Ann Arbor and relative to justices of the peace in said city,

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 641 (file No. 184), entitled

A bill to detach certain territory from the Union school district of the city of Owosso, Shiawassee county, Michigan,

And to inform the House that the Senate has amended the same as follows:

By adding the following to stand as section 2:

SECTION 2. The territory hereby detached from said Union school district of the city of Owosso is hereby made subject to regular township authority, to be disposed of by forming a new school district, with or without other territory, or by attaching the same to some other district or districts the same as though the said territory had never formed a part of any school district,

In the passage of which as thus amended the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. F. H. Watson moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. F. H. Watson,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Lincoln,	Mr. Rogers,
Ashton,	Dunbar,	Linton,	Rounsville,
Baker, S.,	Engleman,	Makelim,	Snow,
Baker W. A.,	Green,	Manly,	Stuart,
Baldwin,	Grenell,	McCormick,	Thompson,
Bardwell,	Haskin,	McKie,	Tindall,
Bates,	Herrington,	McMillan,	VanOrthwick,
Baumgardner,	Holt,	Ogg,	Vroman,
Beecher,	Hoobler,	O'Keefe,	Washburn,
Bettinger,	Hosford,	Oviatt,	Watson, F. H.
Brock,	Houk,	Perkins,	Watts,
Burr,	Hunt,	Pettit,	Webber,
Cannon,	Jones,	Pierce,	Williams, W. W.
Chapell,	Kelly,	Preston,	Wilson,
Chapman,	Killean,	Rentz,	Wood,
Damon,	Kirby,	Robinson, J. W.	Speaker.
Diekema,	Lakey,	Robinson, R.,	67

NAYS.

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The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 29, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 779, (file No. 185) entitled

A bill to authorize the Imlay City Agricultural and Horticultural Society to sell or mortgage its real estate for the purpose of paying its indebtedness, And to inform the House that the Senate has amended the same as follows:

By inserting in line 4, section 1, after the word "sell" the words "or mortgage,"

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules, Mr. Haskin moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day;

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Haskin,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Engleman,	Mr. Linton,	Mr. Rounsville,
Ashton,	Green,	Makelim,	Snow,
Baker, S.,	Grenell,	Manly,	Stuart,
Baker, W. A.,	Harper,	McCormick,	Thompson,
Baldwin,	Haskin,	McKie,	Tindall,
Bardwell,	Herrington,	McMillan,	VanOrthwick,
Bates,	Holt,	Ogg,	Vroman,
Baumgardner,	Hoobler,	O'Keefe,	Washburn,
Beecher,	Hosford,	Oviatt,	Watson, F. H.,
Bettinger,	Houk,	Perkins,	Watson, H.,
Brock,	Hunt,	Pettit,	Watts,
Burr,	Jones,	Pierce,	Webber,
Chapell,	Kelly,	Preston,	Wellman,
Chapman,	Killeen,	Rentz,	Williams, W. W
Damon,	Kirby,	Robinson, J. W.	Wilson,
Diekema,	Lakey,	Robinson, R.,	Wood,
Dillon,	Lincoln,	Rogers,	Speaker,
Dunbar,			69

NAYS.

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The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 29, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 549, entitled

A bill to organize a school district and to create a graded school in the township of Standish, county of Arenac, and township of Pinconning, Bay county, in the State of Michigan, and to establish the boundaries of school districts rendered necessary by the organization of such school district,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 677 (file No. 177), entitled

A bill to amend section 5 of an act entitled, "An act to regulate and provide for the carrying, yarding and feeding of so-called Texas cattle while in transit into or across this State between the first day of April and the first day of November of each year," approved June 16, 1885,

In the passage of which the Senate has concurred by a majority vote of all

the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

THIRD READING OF BILLS.

On motion of Mr. Grenell,
The House first considered

House bill No. 57 (file No. 243), entitled

A bill to amend sections 13 and 16 of chapter 3, sections 1 2, 4, 18, 22, 24, 25 and 33 of chapter 4, sections 2, 3 and 4 of chapter 5, section 1 of chapter 6, sections 1, 8, 9, 13, 15, 17, 21, 25 and 65 of chapter 7, section 1 of chapter 8, sections 1, 7 and 8 of chapter 10, sections 9, 20, 24 and 28 of chapter 11, and to repeal sections 2, 3, 4, 5, 6, 7 and 66 of chapter 7, and sections 2 and 3 of chapter 8, of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith, approved June 7, 1883, and to add to chapter 8 of said act four new sections to stand as sections 2, 3, 4 and 5, so as to abolish the board of councilmen and to establish a board of estimates in and for the city of Detroit,"

Which was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. Lakey,	Mr. Robinson, R.,
Ashton,	Engleman,	Lincoln,	Rogers,
Baker, S.,	Green,	Linton,	Simpson,
Baker, W. A.,	Grenell,	Makelim,	Snow,
Baldwin,	Harper,	McCormick,	Stuart,
Bardwell,	Haskin,	McKie,	Thompson,
Bates,	Herrington,	Mc Millan,	Tindall,
Baumgardner,	Holt,	Ogg,	VanOrthwick,
Beecher,	Hoobler,	O'Keefe,	Vroman,
Bettinger,	Hosford,	Oviatt,	Washburn,
Brock,	Houk,	Perkins,	Watson, F. H.,
Burr,	Hunt,	Pettit,	Watson, H.,
Cannon,	Jones,	Pierce,	Watts,
Chapman,	Kelley,	Preston,	Williams, T. H.,
Damon,	Killean,	Rentz,	Wood,
Diekema,	Kirby,	Robinson, J. W.	Speaker,
Dillon,			

65

NAYS.

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Title agreed to.

On motion of Mr. Grenell,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect January 1, 1888.

House bill No. 105 (file No. 116), entitled

A bill to designate and establish a State road in Bay county, to be known as the Williams and Garfield State road,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashton,	Mr. Engleman,	Mr. Lincoln,	Mr. Rounsville,
Baker, W. A.,	Green,	Linton,	Simpson,
Baldwin,	Grenell,	Makelim,	Snow,
Bardwell,	Harper,	Manly,	Stuart,
Beecher,	Haskin,	McCormick,	Thompson,
Bettinger,	Herrington,	McMillan,	Van Orthwick,
Brock,	Holt,	Ogg,	Vroman,
Burr,	Hoobler,	O'Keefe,	Watson, F. H.,
Cannon,	Hosford,	Perkins,	Watson, H.,
Chapell,	Houk,	Pettit,	Watts,
Chapman,	Hunt,	Pierce,	Webber,
Dakin,	Jones,	Preston,	Wellman,
Damon,	Kelley,	Robinson, J. W.	Williams, T. H.
Diekema,	Killean,	Robinson, R.,	Wood,
Dillon,	Kirby,	Rogers,	Speaker,
Dunbar,	Lakey,		

62

NAYS.

0

Title agreed to.

House bill No. 423 (file No. 239), entitled

A bill to incorporate the village of Naubinway, in the county of Mackinac and State of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashton,	Mr. Engleman,	Mr. Makelim,	Mr. Snow,
Baker, W. A.,	Harper,	Manly,	Thompson,
Baldwin,	Haskin,	McCormick,	Tindall,
Bardwell,	Herrington,	McKee,	Van Orthwick,
Bates,	Holt,	McMillan,	Vroman,
Baumgardner,	Hoobler,	O'Keefe,	Watson, F. H.,
Beecher,	Hosford,	Perkins,	Watson, H.,
Burr,	Houk,	Pettit,	Watts,
Cannon,	Hunt,	Pierce,	Webber,
Chapell,	Jones,	Preston,	Wellman,
Chapman,	Kelley,	Rentz,	Williams, T. H.,
Dakin,	Killean,	Robinson, J. W.	Williams, W. W.
Damon,	Kirby,	Robinson, R.,	Wilson,
Diekema,	Lakey,	Rogers,	Wood,
Dillon,	Linton,	Rounsville,	Speaker,
Dunbar,		Simpson,	

64

NAYS.

0

Title agreed to.

On motion of Mr. Perkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 363 (file No. 100), entitled

A bill to change the name of the corporation of "Saint Anthony's Orphan Asylum" of the township of Hamtramck, in the county of Wayne,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashton,	Mr. Dunbar,	Mr. Linton,	Mr. Simpson,
Baker, S.	Engleman,	Makelim,	Snow,
Baker, W. A.,	Harper,	Manly,	Thompson,
Baldwin,	Haskin,	McCormick,	Tindall,
Bardwell,	Herrington,	McKie,	Van Orthwick,
Bates,	Holt,	McMillan,	Vroman,
Baumgardner,	Hoobler,	O'Keefe,	Watson, F. H.,
Beecher,	Hosford,	Oviatt,	Watson, H.,
Brock,	Houk,	Perkins,	Watts,
Burr,	Hunt,	Pettit,	Webber,
Cady,	Jones,	Pierce,	Wellman,
Cannon,	Kelly,	Preston,	Williams, T. H.
Chapell,	Killean,	Robinson, J. W.	Williams, W. W
Chapman,	Kirby,	Robinson, R.,	Wilson,
Damon,	Lakey,	Rogers,	Wood,
Diekema,	Lincoln,	Rounsville,	Speaker,
Dillon,			

65

NAYS.

0

Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 836 (file No. 165), entitled

A bill to prohibit unjust and oppressive agreements in leases and licenses and other instruments or conveyances hereafter granted for mining iron ore and to protect and secure lessees, licensees, grantees or vendees in such leases, licenses or other instruments or conveyances from the operation and effect of such agreements, and to define the rights, duties and liabilities of the parties to such leases, licenses and other instruments and conveyances,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Perkins moved that the bill do lie on the table,

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashton,	Mr. Dillon,	Mr. Linton,	Mr. Robinson, R.,
Baker, S.,	Engleman,	Makelim,	Rogers,
Baker, W. A.,	Grenell,	Manly,	Rounsville,
Baldwin,	Harper,	McCormick,	Simpson,
Bardwell,	Haskin,	McKie,	Thompson,
Bates,	Holt,	McMillan,	Tindall,
Baumgardner,	Hoobler,	Ogg,	VanOrthwick,
Beecher,	Houk,	O'Keefe,	Watson, F.H.,
Brock,	Jones,	Oviatt,	Watson, H.
Burr,	Kelley,	Perkins,	Webber,
Cady,	Killean,	Pettit,	Wellman,
Cannon,	Kirby,	Pierce,	Williams, W.W
Chapell,	Lakey,	Preston,	Wilson,

Mr. Damon, Mr. Lincoln, Mr. Robinson, J. W. Mr. Wood,
Diekema,

57

NAYS.

0

Title agreed to.

House bill No. 896 (file No. 237), entitled

A bill to amend sections 6 and 9 of an act entitled "An act to restrict the powers of the commissioner of highways of the township of Republic, in the county of Marquette, and to authorize the township board of said township to provide for maintaining the streets, sidewalks, crosswalks and alleys now or hereafter built in the village of Republic, and to maintain a fire department, and to regulate and license auctioneers and peddlers in said village," approved April 29, 1885,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, and follows:

YEAS:

Mr. Ashton,	Mr. Dillon,	Mr. Linton,	Mr. Simpson,
Baker, S.,	Dunbar,	Makelim,	Snow,
Baker, W. A.,	Engleman,	Manly,	Thompson,
Baldwin,	Grenell,	McCormick,	Tindall,
Bardwell,	Harper,	McKie,	Van Orthwick,
Bates,	Haskin,	McMillan,	Vroman,
Baumgardner,	Herrington,	Ogg,	Washburn,
Beecher,	Holt,	O'Keefe,	Watson, F. H.,
Bettinger,	Hoobler,	Oviatt,	Watson, H.,
Brock,	Houk,	Perkins,	Watts,
Burr,	Hunt,	Pettit,	Webber,
Cady,	Jones,	Pierce,	Wellman,
Cannon,	Kelley,	Preston,	Williams, W. W.
Chapell,	Killeen,	Robinson, J. W.	Wilson,
Chapman,	Kirby,	Robinson, R.	Wood,
Damon,	Lakey,	Rogers,	Speaker,
Diekema,	Lincoln,	Rounsville,	

67

NAYS.

0

Title agreed to.

On motion of Mr. Watts,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 343 (file No. 212), entitled

A bill to authorize the city of Menominee to join with Wisconsin authorities and construct a bridge across Menominee river.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Lakey,	Mr. Rogers,
Ashton,	Diekema,	Lincoln,	Rounsville,
Baker, S.,	Dillon,	Linton,	Simpson,
Baker, W. A.,	Dunbar,	Makelim,	Snow,
Baldwin,	Grenell,	Manly,	Thompson,
Bardwell,	Harper,	McCormick,	Tindall,
Bates,	Haskin,	McKie,	Van Orthwick,

Mr. Baumgardner,	Mr. Herrington,	Mr. McMillan,	Mr. Vroman,
Beecher,	Holt,	Ogg,	Washburn,
Bettinger,	Hoobler,	O'Keefe,	Watson, H.,
Brock,	Hosford,	Oviatt,	Watts,
Burr,	Houk,	Perkins,	Webber,
Cady,	Hunt,	Pettit,	Wellman,
Canon,	Jones,	Pierce,	Williams, W. W
Chapell,	Kelly,	Preston,	Wilson,
Chapman,	Killean,	Robinson, J. W.	Wood,
Dakin,	Kirby,	Robinson R.,	Speaker, 68

NAYS.

0

Title agreed to.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Linton,	Mr. Rounsville,
Ashton,	Dunbar,	Makelim,	Simpson,
Baker, S.,	Engleman,	Manly,	Snow,
Baker, W. A.,	Green,	McCormick,	Stuart,
Baldwin,	Grenell,	McKie,	Thompson,
Bardwell,	Harper,	McMillan,	Tindall,
Bates,	Haskin,	Ogg,	VanOrtheast,
Baumgardner,	Holt,	O'Keefe,	Vroman,
Beecher,	Hoobler,	Oviatt,	Washburn,
Bettinger,	Hosford,	Perkins,	Watson, H.,
Brock,	Houk,	Pettit,	Watts,
Burr,	Hunt,	Pierce,	Webber,
Cady,	Jones,	Preston,	Wellman,
Cannon,	Kelly,	Rentz,	Williams, W. W.
Chapell,	Killean,	Robinson, J. W.,	Wilson,
Chapman,	Kirby,	Robinson, R.,	Wood,
Damon,	Lakey,	Rogers,	Speaker, 45
Diekema,			

NAYS.

0

Title agreed to

On motion of Mr. Webber,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 70 (file No. 119), entitled

A bill authorizing the board of trustees of the Northern Michigan Asylum for the Insane to purchase certain lands for the use and benefit of said asylum, and making an appropriation for the payment thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashton,	Mr. Dillon,	Mr. Kirby,	Mr. Rentz,
Baker, W. A.,	Dunbar,	Lakey,	Robinson, J. W.
Baldwin,	Green,	Linton,	Robinson, R.,
Bardwell,	Grenell,	Makelim,	Rounsville,

Mr. Baumgardner,	Mr. Harper,	Mr. Manly,	Mr. Simpson,
Beecher,	Haskin,	McCormick,	Snow,
Bettinger,	Herrington,	McMillan,	Stuart,
Brock,	Hoobler,	• Ogg,	Thompson,
Burr,	Hosford,	Oviatt,	Washburn,
Cady,	Houk,	Perkins,	Watts,
Cannon,	Hunt,	Pettit,	Williams, W.W.
Chappell,	Jones,	Pierce,	Wilson,
Damon,	Kelley,	Preston,	Wood,
Diekema,	Killean,		

54

NAYS.

Mr. Watson, H., Mr. Webber,

2

Title agreed to.

Mr. Cannon moved that the bill be ordered to take immediate effect,
Which motion did not prevail.

Senate bill No. 53 (file No. 117), entitled

A bill to amend section 28 of chapter 178 of the compiled laws of 1871,
being compiler's section 6841 of Howell's annotated statutes of Michigan,
relative to courts held by justices of the peace,

Was read a third time and passed, a majority of all the members elect
voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. Lincoln,	Mr. Rogers,
Baker, W. A.,	Engleman,	Linton,	Rounsville,
Baldwin,	Green,	Makelim,	Simpson,
Bates,	Harper,	Manly,	Snow,
Baumgardner,	Haskin,	McCormick,	Thompson,
Beecher,	Herrington,	McKie,	Tindall,
Bettinger,	Holt,	McMillan,	VanOrthwick,
Brock,	Hoobler,	O'Keefe,	Vroman,
Burr,	Hosford,	Oviatt,	Washburn,
Cady,	Houk,	Perkins,	Watson, H.,
Cannon,	Hunt,	Pettit,	Watts,
Chapell,	Jones,	Pierce,	Webber,
Chapman,	Kelley,	Preston,	Wellman,
Damon,	Killean,	Rentz,	Wilson,
Diekema,	Kirby,	Robinson, J.W	Wood,
Dillon,	Lakey,	Robinson, R.,	Speaker,

64

NAYS.

0

Title agreed to.

House bill No. 705 (file No. 249), entitled

A bill to amend section 15, chapter 179, compiled laws of 1871, relative to
criminal proceedings before justices of the peace, as amended by act No. 169,
session laws of 1877, being compiler's section 7106 Howell's annotated stat-
utes,

Was read a third time and passed, a majority of all the members elect vot-
ing therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. Lincoln,	Mr. Simpson,
Ashton,	Engleman,	Linton,	Snow,
Baker, S.,	Green,	Makelim,	Stuart,
Baker, W. A.,	Grenell,	Manly,	Thompson,
Bardwell,	Harper,	McCormick,	Tindall,
Bates,	Haskin,	McKie,	VanOrthwick,
Baumgardner,	Herrington,	McMillan,	Vroman,
Beecher,	Holt,	Ogg,	Washburn,
Bettinger,	Hoobler,	O'Keefe,	Watson, F.H.,
Brock,	Hosford,	Oviatt,	Watson, H.,
Burr,	Houk,	Perkins,	Watts,
Cady,	Hunt,	Pettit,	Webber,
Cannon,	Jones,	Preston,	Wellman,
Chapman,	Kelley,	Robinson, J. W	Williams, T.H.
Dakin,	Killean,	Robinson, R.,	Wilson,
Damon,	Kirby,	Rogers,	Wood,
Diekema,	Lakey,	Rounsville,	Speaker, 68

NAYS.

0

Title agreed to.

House bill No. 704 (file No. 251), entitled

A bill to amend section 3 of an act relative to the costs of proceedings in criminal cases, approved March 13, 1849, being section 7490 of the compiled laws of 1871, as amended by act No. 213, session laws of 1879, being compiler's section 9065, Howell's annotated statutes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. Linton,	Mr. Simpson,
Ashton,	Engleman,	Makelim,	Snow,
Baker, S.,	Green,	Manly,	Stuart,
Baker, W. A.,	Grenell,	McCormick,	Thompson,
Baldwin,	Harper,	McKie,	Tindall,
Bardwell,	Haskin,	McMillan,	VanOrthwick,
Bates,	Herrington,	Ogg,	Vroman,
Baumgardner,	Holt,	O'Keefe,	Washburn,
Beecher,	Hoobler,	Oviatt,	Watson, F. H.
Bettinger,	Hosford,	Perkins,	Watson H.
Brock,	Houk,	Pettit,	Watts,
Burr,	Hunt,	Pierce,	Webber,
Cady,	Jones,	Preston,	Wellman,
Cannon,	Kelley,	Rentz,	Williams, T.H.
Chapell,	Killean,	Robinson, J. W.	Williams, W. W
Chapman,	Kirby,	Robinson, R.,	Wilson,
Damon,	Lakey,	Rogers,	Wood,
Diekema,	Lincoln,	Rounsville,	Speaker, 73
Dillon,			

NAYS.

0

Title agreed to.

On motion of Mr. Bates,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 645 (file No. 232), entitled

A bill to amend section 53 of an act entitled “An act to regulate and govern the State House of Correction and Reformatory at Ionia,” as amended by act number 24, of the session laws of 1885,

House bill No. 269 (file No. 150), entitled

A bill to make an appropriation for the support of the State public school and making improvements at that institution,

And to inform the House that the Senate has amended the same as follows:

1. By striking out of line 6 of section 1 the word “two” and inserting in lieu thereof the word “five.”

2. By adding to the end of line 13 of section 1 the words “and for a piano three hundred dollars.”

3. By striking out section 3 and inserting in lieu thereof the following, to stand as section 3:

SEC. 3. The Auditor General shall add to and incorporate with the State tax for the year 1887, the sum of \$43,500; and for the year 1888, the sum of \$35,000, to be assessed, levied, and collected as other State taxes are assessed, levied and collected, which sums, when collected, shall be placed to the credit of the general fund to reimburse it for the sums appropriated by section 1 of this act.

And further to inform the House that the Senate has amended the title to the bill so as to read as follows:

A bill making an appropriation for the support of the State public school for the years 1887 and 1888, and for making improvements at that institution, and to provide a tax for the same,

In the passage of which, as thus amended and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Chapman moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Chapman,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Lincoln,	Mr. Rounsville,
Ashton,	Dunbar,	Linton,	Simpson,
Baker, S.,	Engleman,	Makelim,	Snow,
Baker, W. A.,	Green,	Manly,	Thompson,
Baldwin,	Grenell,	McCormick,	Tindall,
Bardwell,	Harper,	McKie,	Van Orthwick,
Bates,	Haskin,	McMillan,	Vroman,
Baumgardner,	Herrington,	Ogg,	Washburn,
Beecher,	Hoobler,	O'Keefe,	Watson, F. H.
Bettinger,	Hosford,	Oviatt,	Watson, H.
Brock,	Houk,	Perkins,	Watts,
Burr,	Hunt,	Pettit,	Webber,
Cady,	Jones,	Pierce,	Wellman,
Cannon,	Kelley,	Preston,	Williams, W. W.
Chapell,	Killean,	Rentz,	Wilson,
Chapman,	Kirby,	Robinson, J. W.	Wood,
Damon,	Lakey,	Robinson, R.,	67

NAYS.

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 291 (file No. 148), entitled

A bill to amend section 1 of act No. 221 of the laws of 1863, entitled An act to amend an act entitled An act to provide for the floating of logs and timber in the streams of this State, approved March 16, 1861, as amended by act No. 85 of the laws of 1879;

2. Senate bill No. 235, entitled

A bill to incorporate the city of Marine City, in the county of St. Clair, and repeal act No. 328 of the local acts of 1885, approved April 23, 1885, entitled "An act to re-incorporate the village of Marine City, in St. Clair county,"

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on lumber and salt interests.

The second named bill was read a first and second time by its title, and referred to the committee on municipal corporations.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

Senate bill No. 235, entitled

A bill to incorporate the city of Marine City, in the county of St. Clair, and repeal act No. 328 of the local acts of 1885, approved April 23, 1885, entitled "An act to re-incorporate the village of Marine City, in St. Clair county,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wellman,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Engleman,	Mr. Manly,	Mr. Snow,
Ashton,	Green,	McCormick,	Stuart,
Baker, S.,	Grenell,	McKie,	Thompson,
Baker, W. A.,	Harper,	McMillan,	Tindall,
Baldwin,	Herrington,	Ogg,	VanOrthwick,
Bates,	Holt,	O'Keefe,	Vroman,
Baumgardner,	Hoobler,	Oviatt,	Washburn,
Bettinger,	Hosford,	Perkins,	Watson, F. H.
Brock,	Houk,	Pettit,	Watson, H.
Burr,	Hunt,	Pierce,	Watts,
Cady,	Jones,	Preston,	Webber,
Cannon,	Kelley,	Rentz,	Wellman,
Chapell,	Killean,	Robinson, J. W.	Williams, T. H.
Chapman,	Kirby,	Robinson, R.	Williams, W. W.
Damon,	Lahey,	Rogers,	Wilson,
Dillon,	Linton,	Rounsville,	Wood,
Dunbar,	Makelim,	Simpson,	Speaker, 68

NAYS.

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Title agreed to.

On motion of Mr. Wellman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 254 (file No. 146), entitled

A bill to amend sections 1, 2 and 8 of chapter eleven of act No. 326 of the session laws of 1883, entitled "An act to provide a charter for the city

of Detroit, and to repeal all acts and parts of acts in conflict therewith, approved June 7, 1883.

And to inform the House that the Senate has amended the same as follows:

1. By striking out of line 2 of section 1 the words "session laws" and inserting in lieu thereof the words "local acts."

And further to inform the House that the Senate has amended the title to the bill as follows:

By striking out the words "session laws" and inserting in lieu thereof the words "local acts."

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take effect April 1, 1887.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Pending the order that the message lie over one day under the rules, Mr. Grenell moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day;

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Grenell,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Lincoln,	Mr. Simpson,
Ashton,	Dunbar,	Linton,	Snow,
Baker, S.,	Engleman,	Makelim,	Stuart,
Baker, W. A.,	Green,	Manly,	Thompson,
Baldwin,	Grenell,	McCormick,	Tindall,
Bardwell,	Harper,	McKie,	VanOrthwick,
Bates,	Haskin,	McMillan,	Vroman,
Baumgardner,	Herrington,	Ogg,	Washburn,
Beecher,	Holt,	O'Keefe,	Watson, F. H.,
Bettinger,	Hoobler,	Oviatt,	Watson, H.,
Brock,	Hosford,	Perkins,	Watts,
Burr,	Houk,	Pettit,	Webber,
Cady,	Hunt,	Pierce,	Wellman,
Cannon,	Jones,	Preston,	Williams, T. H.,
Chapell,	Kelley,	Rentz,	Williams, W. W.
Chapman,	Killeen,	Robinson, J. W.	Wilson,
Dakin,	Kirby,	Robinson, R.,	Wood,
Damon,	Lakey,	Rounsville,	Speaker,
Diekema,			

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NAYS.

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Mr. Hoobler moved to discharge the committee of the whole from the further consideration of

House bill No. 807 (file No. 283), entitled

A bill to change the several names of Peter Curtis, Clarisse Curtis, Peter Curtis, Jr., Eva Curtis, Mari Blanche Curtis and Sophia Curtis to Peter Couture, Clarisse Couture, Peter Couture, Jr., Eva Couture, Mari Blanche Couture and Sophia Couture, respectively,

Which motion prevailed.

On motion of Mr. Hoobler,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Linton,	Mr. Rounsville,
Ashton,	Dunbar,	Makelim,	Simpson,
Baker, W. A.,	Engleman,	Manly,	Snow,
Baldwin,	Green,	McCormick,	Thompson,
Bardwell,	Grenell,	McKie,	Tindall,
Bates,	Harper,	McMillan,	Van Orthwick,
Baumgardner,	Haskin,	Ogg,	Washburn,
Bettinger,	Holt,	O'Keefe,	Watson, F. H.
Brock,	Hoobler,	Oviatt,	Watson, H.
Burr,	Hosford,	Perkins,	Watts,
Cady,	Hunt,	Pettit,	Webber,
Cannon,	Jones,	Pierce,	Wellman,
Chapell,	Kelley,	Preston,	Williams, T. H.
Chapman,	Killeen,	Rentz,	Williams, W. W.
Damon,	Kirby,	Robinson, J. W.	Wilson,
Dakin,	Lakey,	Robinson, R.	Wood,
Diekema,	Lincoln,	Rogers,	Speaker, 68

NAYS

0

Title agreed to.

On motion of Mr. Hoobler,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Hoobler moved to reconsider the vote by which the House struck out the enacting clause of

House bill No. 520 (file No. 231), entitled

A bill to authorize the purchase of a tract of land adjacent to the State House of Correction and Reformatory at Ionia, and to make an appropriation therefor,

Which motion prevailed.

The question being on striking out the enacting words of the bill,

Mr. Haskin moved that the bill do lie upon the table.

Which motion did not prevail.

On motion of Mr. Webber,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Hoobler moved to discharge the committee on municipal corporations from the further consideration of

Senate bill No. 246, entitled

A bill to incorporate the village of Harrisville,

Which motion did not prevail.

On motion of Mr. W. A. Baker,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House took up

MESSAGES FROM THE SENATE.

The Speaker announced the following;

SENATE CHAMBER. }
Lansing, March 30, 1887.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 177 (file No. 85), entitled

A bill to provide for the better protection of lives of passengers on railroad trains,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on railroads.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 30, 1887.

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 319 (file No. 121), entitled

A bill to provide for the incorporation of associations for the purpose of constructing, owning, controlling and leasing buildings for hotels,

And to inform the House that the Senate has amended the same as follows viz:

1. By inserting in line 3 of section 1 after the word "hotel" the words "elevators or public halls."

And further to inform the House that the Senate has amended the title to the bill as follows:

By adding to the end thereof the words "elevators or public halls."

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

Laid over one day under the rules.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

1. Senate bill No. 306 (file No. 168), entitled

A bill to amend section 4 of chapter 263 of the compiled laws of 1871, being compiler's section 9586, relative to inquests on the view of dead bodies,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on judiciary.

GENERAL ORDER.

On motion of Mr. Cannon,

The House went into the committee of the whole on the general order, Whereupon the Speaker called Mr. Holt to the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have also had under consideration the following:

1. Senate bill No. 218 (file No. 99), entitled

A bill to enable State Agricultural Society to permanently locate the place of holding its annual fairs.

2. Senate bill No. 60 (file No. 18), entitled

A bill to amend section 1 of an act entitled "An act requiring judges of probate in certain cases to give notice to foreign consuls of an application for

administration in the estate of deceased persons," being compiler's section 6812 of Howell's annotated statutes of Michigan.

3. Senate bill No. 91 (file No. 26), entitled

A bill to amend act No. 200 of the session laws of 1849, being compiler's section No. 750 of Howell's annotated statutes, relative to raising money by township boards.

4. Senate bill No. 92 (file No. 27), entitled

A bill to amend section 75 of chapter sixteen of the revised statutes of 1846, being compiler's section No. 749 of Howell's annotated statutes, relative to powers and duties of township boards.

5. Senate bill No. 93 (file No. 28), entitled

A bill to amend section 3 of chapter 16 of the revised statutes of 1846, as amended by act No. 212 of the session laws of 1875, being compiler's section No. 671 of Howell's annotated statutes relative to the powers and duties of townships.

6. House bill No. 439 (file No. 255), entitled

A bill to provide a general law under which corporations may be formed to carry on printing, publishing, and book-making, and any or either of them.

7. House bill No. 671 (file No. 257), entitled.

A bill authorizing the trustees of the Michigan asylum for the insane at Kalamazoo to deed to the city of Kalamazoo certain State lands in the said city of Kalamazoo for street purposes.

8. House bill No. 857 (file No. 270), entitled

A bill to change the boundaries of school district No. 1, in the township of Fayette, and fractional school district No. 12, in the townships of Adams, Moscow, and Fayette, in the county of Hillsdale.

9. House bill No. 888 (file No. 271), entitled

A bill to change the termination of the fiscal year of the State from September 30, to June 30.

10. House bill No. 55 (file No. 273), entitled

A bill to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic in this State.

11. House bill No. 771 (file No. 274), entitled

A bill to authorize Bay county to borrow money to build and repair bridges across the Saginaw river.

12. House bill No. 656 (file No. 276), entitled

A bill to organize a medical corps of the Michigan State troops.

13. House bill No. 709 (file No. 277), entitled

A bill to require railroad companies to give notice at stations whether passenger trains are on schedule time or not,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bill.

14. Senate bill No. 42 (file No. 22), entitled

A bill in relation to jurors in courts of record in Wayne county, and to revise the laws relative thereto,

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following bill:

15. House bill No. 357 (file No. 269), entitled

A bill pertaining to the care, preparation and disposition of the dead, and to insure the better education of funeral directors,

And have directed their chairman to report the same back to the House with the recommendation that it be referred to the committee on public health.

The committee of the whole have also had under consideration the following bill:

16. House bill No. 695 (file No. 261), entitled

A bill to amend act No. 199 of the session laws of 1877, being compiler's section 2221 of Howell's annotated statutes of Michigan, relative to hunting game on the lands of others,

17. House bill No. 556 (file No. 275), entitled

A bill to authorize the township of Arthur, in Clair county, to borrow money to be used in public improvements in and for said township and to issue bonds therefor,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

H. H. HOLT, *Chairman.*

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth named bills were placed on the order of third reading.

On motion of Mr. Grenell,

The House concurred in the amendments made by the committee to the fourteenth named bill, and it was placed on the order of third reading.

On motion of Mr. Webber,

The House concurred in the recommendation of the committee relative to the fifteenth named bill, and it was referred to the committee on public health.

The question being on concurring in the action of the committee in striking out all after the enacting clause of the sixteenth named bill,

On motion of Mr. Lakey,

The bill was referred to the committee on the judiciary.

On motion of Mr. Diekema,

The House concurred in the action of the committee in striking out all after the enacting clause in the seventeenth named bill, and

The title and enacting clause were laid on the table.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, March 30, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State,

[House bill No. 789, being]

An act to incorporate the village of Eagle, in Clinton county ;

Also,

[House bill No. 641 (file No. 184), being]

An act to detach certain territory from the Union School district of the city of Owosso, Shiawassee county, Michigan.

C. G. LUCE, *Governor.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills :

1. House bill No. 861 (file No. 189), entitled

A bill to authorize the Central Michigan Agricultural Society to sell and convey its real estate, and to provide what proceedings shall be necessary therefor.

2. House bill No. 370 (file No. 195), entitled

A bill to amend section No. 1 of chapter No. 6, of an act entitled "An act to revise and consolidate the laws relating to public instruction and primary schools and to repeal all statutes and acts contravening the provisions of this act," being act No. 164 of the public acts of 1881, being section 5103 of Howell's Annotated Statutes,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives :

Sir—I am instructed to return to the House the following bill:

House bill No. 621 (file No. 199), entitled

A bill to amend section 35 of an act entitled "An act to provide for the incorporation of villages," being act No. 168 of the session laws of 1857, the

same being compiler's section 3333 of the compiled laws of 1871, and section 3017 of Howell's annotated statutes, relative to duplicate tax rolls in villages,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 532 (file No. 157), entitled

A bill to amend section 11 of act No. 113 of the laws of 1869, entitled "An act to authorize the formation of companies for the introduction of water into towns, cities and villages in the State of Michigan," being section 3120 of Howell's annotated statutes of Michigan,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

Mr. Hoobler moved to discharge the committee on municipal corporations from the further consideration of

Senate bill No. 246, entitled

A bill to incorporate the village of Harrisville, Alcona county.

Which motion prevailed.

On motion of Mr. Hoobler,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. Linton,	Mr. Simpson,
Baker, S.,	Engleman,	Makelim,	Snow,
Baker, W. A.	Green,	Manly,	Stuart,
Baldwin,	Harper,	McKie,	Thompson,
Bardwell,	Haskin,	McMillan,	Tindall,
Bates,	Herrington,	Ogg,	Van Orthwick,
Beecher,	Holt,	O'Keefe,	Vroman,
Brock,	Hoobler,	Oviatt,	Washburn,
Burr,	Houk,	Petitt,	Watson, H.,

Mr. Cannon,	Mr. Hunt,	Mr. Pierce,	Mr. Watts,
Chamberlain,	Jones,	Preston,	Webber,
Chapell,	Kelley,	Rentz,	Wellman,
Chapman,	Killeen,	Robinson, J. W	Williams, W. W
Dakin,	Kirby,	Robinson, R.,	Wilson,
Damon,	Lakey,	Rogers,	Wood,
Diekema,	Lincoln,	Rounsville,	Speaker,
Dillon,			65

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Title agreed to.

On motion of Mr. Hoobler,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on education:

The committee on education, to whom was referred

House bill No. 348, entitled

A bill to amend section 15 of chapter 3 of an act entitled, "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being act No. 164 of session laws of 1881, as amended by act No. 93 of session laws of 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. W. Williams,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Green moved that the House adjourn,

Which motion prevailed, and the Speaker declared the House adjourned until Wednesday, April 6, at 9.30 P. M.

Lansing, Wednesday, April 6, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Roll called: quorum present.

Absent without leave: Messrs. W. A. Baker, Beecher, Breen, Dickema, Dunbar, Haskins, Hill, Holt, Hoobler, Hunt, Killeen, Lincoln, Linton, Makelim, O'Keefe, Perkins, Reader, Rentz, Rounsville, Snow, Vickary, Webber, T. H. Williams, and Wood.

On motion of Mr. McGregor,

Leave of absence was granted to all absentees for the evening.

On motion of Mr. Oviatt,

Leave of absence was granted to Mr. Reader until Monday next.

On motion of Mr. Crocker,

Leave of absence was granted to Mr. Haskin until Monday next.

On motion of Mr. S. Baker,

Leave of absence was granted to Mr. Dunbar until Monday next.

On motion of Mr. J. W. Robinson,

Leave of absence was granted to Mr. Wood until Monday next.

PRESENTATION OF PETITIONS.

No. 655. By Mr. Henry Watson: Petition of citizens of Greenville, asking the passage of the bill for the protection of owners of stallions,

Referred to the committee on agriculture.

No. 656. By Mr. Baumgardner: Petition of citizens of Manistee for the establishment of a home for feeble-minded children,

On demand of Mr. Baumgardner,

The petition was read at length, and spread at large on the journal, as follows:

To the Legislature of the State of Michigan:

We, the undersigned, do petition your honorable body to enact the statute for the establishment of a State institution for feeble-minded children.

Dated, Manistee, March 29, 1887.

Referred to the committee on State affairs.

No. 657. By Mr. Chapman: Petition of citizens of Hillsdale for the passage of the bill for the protection of keepers of stallions.

Referred to the committee on agriculture.

No. 658. By Mr. Abbott: Remonstrance of George R. Beach, G. I. Thompson and 35 others, of Hudson, Mich., against the passage of the bill to regulate the conditional sales of chattels.

Referred to the committee on judiciary.

Mr. Manly offered the following:

WHEREAS, Certain newspapers of this State have published certain affidavits purporting to be signed by F. Miller and W. H. Bender detrimental to the character of John N. Foster and his management as superintendent of the public schools at Coldwater,

Resolved (the Senate concurring), That the standing committees on State public schools be and are hereby instructed to proceed at once to investigate the charges made in said affidavits.

Resolved further, That said committee be and is hereby authorized to hold sessions at the State Public School at Coldwater, or elsewhere, to administer oaths, to enforce the attendance of witnesses, to take testimony, employ a clerk or stenographer if they shall find the same necessary, and to perform all such duties as it shall deem best to ascertain fully the truth or falsity of said affidavits; also, as to the management of said institution, and report their doings to this Legislature at the earliest possible day.

Laid over one day under the rules.

Mr. J. W. Robinson moved that a respectful message be sent to the Senate asking the return of

House bill No. 70 (file No. 119), entitled

A bill authorizing the board of trustees of the Northern Michigan Asylum for the Insane to purchase certain lands for the use and benefit of said asylum, and making an appropriation for the payment thereof,

Which motion prevailed.

On motion of Mr. Chapman,

The House adjourned.

Lansing, Thursday, April 7, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Thompson.

Roll called: quorum present.

Absent without leave: Messrs. W. A. Baker, Holt and Hunt.

On motion of Mr. Dougherty,

Leave of absence was granted to Mr. W. A. Baker until Monday next.

On motion of Mr. H. Watson,

Leave of absence was granted to Mr. Holt for the day.

On motion of Mr. Killean,

Leave of absence was granted to Mr. Hunt until Monday next.

PRESENTATION OF PETITIONS.

No. 659. By Mr. Hoaglin: Petition of 136 citizens of Albion asking for the passage of House bill No. 510.

Referred to the committee on fisheries.

No. 660. By Mr. Dougherty: Petition of Geo. B. Mills and 28 others of Boyne City asking for municipal suffrage for women.

Referred to the committee on elections.

No. 661. By Mr. McMillan: Petition of C. M. Mann, C. H. Carlyle, Almon Thompson, and 48 others for the passage of House bill No. 661.

Referred to the committee on judiciary.

No. 662. By Mr. T. H. Williams: Petition of R. Russell, L. Hickman, J. H. Lockwood and 22 others asking for an amendment to the garnishee law.

Referred to the committee on judiciary.

No. 663. By Mr. Killean: Petition of Dennis L. Rogers, Frances Ruther-

ford Clay and 24 others of Grand Rapids relative to municipal suffrage for women.

Referred to the committee on elections.

No. 664. By Mr. Herrington: Petition of J. S. Stockwell and 30 others of Pontiac asking for municipal suffrage for women.

Referred to the committee on elections.

No. 665. By Mr. Wilson: Petition of N. D. Watkins, W. H. Safford, C. A. Lyon and 35 others, asking the passage of House bill No. 510.

Referred to the committee on fisheries.

No. 666. By Mr. McCormick: Remonstrance of Sherwood & Sons, Dryden & Sons and 6 others against the passage of the bill to regulate the conditional sale of chattels.

On demand of Mr. McCormick,

The remonstrance was read at length, and spread at large on the journal, as follows:

We, the undersigned, business men of the village of Allegan, do hereby respectfully protest against the enacting of the Mayo bill, being Senate bill No. 25 (file No. 17), entitled "An act to regulate the conditional sales of chattels," which bill is now pending before the judiciary committee of the Senate of the Legislature of Michigan.

H. COYKENDALL, Dealer in Sewing Machines and Organs.

J. A. W. SHERWOOD SONS, Furniture.

E. B. BORW, Manufacturer of Wagons and Carriages.

BARCLAY & KNICKERBOCKER, Agricultural Dealers.

S. S. DRYDEN & SONS, Hardware.

ANDREW OLIVER, Furniture Dealer.

OLIVER & CO., Furniture Manufacturers and Dealers.

SHERWOOD & GRISWOLD, Dry Goods Merchants.

Referred to the committee on judiciary.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, April 6, 1887. }

To the House of Representatives:

I have given careful consideration to a bill entitled "A bill to amend section 9 of act 156 of the session laws of 1851, being compiler's section No. 481 of Howell's annotated statutes of Michigan," and very respectfully return the same for reconsideration.

The law now requires the board of supervisors to publish immediately after the annual meeting, at least in one newspaper, if there be one published in the county, if not, in some paper published nearest thereto, a report of the receipts and expenditures, which shall contain the name of each claimant, the amount claimed, and the amount allowed, of the year next preceding the accounts allowed, and a full statement of the amounts of the treasurers's account on the last settlement, as of his balance sheet, or account current in making the settlement. Of course, this does not prohibit the board of supervisors from publishing the same in more than one newspaper, or in any other form they may elect, a full and more complete record of their proceedings. And since the law now requires them to publish a full and explicit statement of the essential portions of their proceedings, I am

forced to the conclusion that the amendment compelling them to publish all the motions and resolutions in a newspaper is unwise, and not demanded by the public interests. I believe it better to leave the method of publication and the material to be published beyond that now required by law to the wise discretion of the board of supervisors. In most counties there are several newspapers published, and often arrangements are made with all for the publication of the facts in which the public has the greater interest, and the vital information has a more extended dissemination under the present law than it would be likely to secure if the present bill was in force.

For these reasons the bill is very respectfully returned to the house wherein it originated, without my signature, for reconsideration.

C. G. LUCE, *Governor.*

The question being on the reconsideration of the vote by which the House passed the bill,

Mr. Oviatt moved to reconsider the vote by which the House passed the bill,

Which motion prevailed.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,

On motion of Mr. Oviatt,

The bill was laid on the table.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, March 30, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State,

[House bill No. 549, being]

An act to organize a school district and to create a graded school in the township of Standish, county of Arenac, and township of Pinconning, county of Bay, in the State of Michigan, and to establish the boundaries of school districts rendered necessary by the organization of such school district.

C. G. LUCE, *Governor.*

The message was laid on the table.

The Speaker also announced the following :

EXECUTIVE OFFICE, }
Lansing, March 30, 1887. }

To the House of Representatives :

I have this day approved, signed and deposited in the office of the Secretary of State,

[House bill No. 826, being]

An act supplementary to the charter of the city of Ann Arbor and relative to justices of the peace in said city;

Also,

[House bill No. 254, File No. 146, being]

A bill to amend sections 1, 2 and 8 of chapter eleven of act No. 326 of the local acts of 1883 entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883.

C. G. LUCE, *Governor.*

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, April 5, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State,

House bill No. 269 (file No. 150), entitled

An act making an appropriation for the support of the State Public School for the years 1887 and 1888, and for making improvements at that institution, and to provide a tax for the same.

C. G. LUCE,
Governor.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 169 (file No. 81), entitled

A bill to provide for the organization of log and lumber insurance companies to insure against the risks of inland navigation in towing or transportation of logs or timber, and to define their powers,

And to inform the House that the Senate has amended the same as follows, viz:

1. By striking out of line 3 of section 1 the word "inland," and inserting after the word "navigation" in said line the words "upon the great American lakes and waters connected therewith."

2. By striking out of line 10 of section 4 the word "ten," and inserting in lieu thereof the word "twenty."

3. By striking out of line 2 of section 5 the word "ten," and inserting in lieu thereof the word "twenty."

4. By inserting in line 2 of section 8 before the word "value," the words "actual cash," and inserting at the end of line 2 the words "at the place where insured,"

And further to inform the House that the Senate has amended the title of the bill as follows:

By striking out the word "inland" and inserting after the word "navigation" the words "upon the great American lakes and the waters connected therewith."

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Green moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Green,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Lincoln,	Mr. Rogers,
Allen,	Diekema,	Linton,	Rounsville,
Baldwin,	Dougherty,	Makelim,	Rumsey,
Bardwell,	Dunbar,	McCormick,	Snow,
Bates,	Eldred,	McGregor,	Spencer,
Baumgardner,	Engleman,	McMillan,	Stuart,
Beecher,	Goodrich,	Mulvey,	Thompson,
Bettinger,	Green,	Oviatt,	Tindall,
Breen,	Herrington,	Pardee,	Van Orthwick,
Burr,	Hill,	Perkins,	Vickary,
Cady,	Hoaglin,	Pettit,	Washburn,
Cannon,	Hoobler,	Pierce,	Watson, F. H.
Case,	Hosford,	Powers,	Watts,
Chamberlain,	Houk,	Preston,	Wellman,
Chapell,	Jones,	Rentz,	Williams, W. W.
Chapman,	Killeen,	Robinson, J. W.	Wilson,
Cole,	Kirby,	Robinson, R.	Speaker,
Damon,	Lakey,		70

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 111 (file No. 81), entitled

A bill to amend section 1, of act No. 147 of the session laws of 1885, entitled "An act to provide for the introduction and use on all cars owned and operated by any railroad company, or other corporation doing business in this State, of some form of automatic car coupling, by means of which all cars may be coupled and uncoupled without the necessity of the brakeman, or any other person, passing between the cars,"

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take im-

mediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on railroads.

The Speaker also announced the following;

SENATE CHAMBER.

Lansing, March 30, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 320 (file No. 156), entitled

A bill to create a fund for and to provide for the payment of certain damages for sheep and lambs killed or wounded by dogs within the city of Jackson and the townships of Blackman and Summit, in the county of Jackson, State of Michigan,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

The Speaker also announced the following:

SENATE CHAMBER,

Lansing, March 30, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 461 (file No. 151), entitled

A bill to amend section 3970 of Howell's annotated statutes of Michigan relative to liquidation of shares of co-operative savings associations,

And to inform the House that the Senate has amended the same as follows Amend section 1 of the bill so as to read as follows:

SECTION 1. *The People of the State of Michigan enact*, That section 10 of act NO. 206 of the session laws of 1877, entitled, "An act to authorize the incorporation of co-operative associations," approved May 26, 1877, being compiler's section No. 3970 of Howell's annotated statutes, be and the same is hereby amended so as to read as follows:

And further to inform the House that the Senate has amended the title to the bill so as to read as follows:

A bill to amend section 10 of act No. 206 of the session laws of 1877, entitled, "An act to authorize the incorporation of co-operative savings associations," approved May 26, 1877, being compiler's section No. 3970 of Howell's annotated statutes.

In the passage of which, as thus amended, and with the title so mended, the Senate has concurred by a majority vote of all the Senators elect, and by

a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Laid over one day under the rules.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 356 (file No. 173), entitled

A bill to authorize the incorporation of suburban, homestead, villa park and summer resort associations,

And to inform the House that the Senate has amended the same as follows:

1. By inserting in line 6 of section 1, after the word "known," the words "and the period for which it is incorporated not exceeding thirty years,"

2. By striking out of line 8, of section 1, the word "twelve," and inserting in lieu thereof the word "thirteen,"

3. By adding to the end of section 1 the words "and qualified,"

4. By striking out of lines 3 and 4, of section 2, the words "in the county where such meeting shall have been held,"

5. By inserting in line 4, of section 3, after the word "who," the words "may make all necessary by-laws, rules and regulations for such purpose, subject to the satisfaction of a majority of the lot owners, and who,"

6. By inserting in line 3 of section 3 after the word "corporation" the words "such association may adopt a common seal and may sue and be sued in and by its corporate name in the courts of this State and of the United States; and a certified copy of its articles of association shall be *prima facie* evidence in all courts and proceedings of the organization of such associations,"

7. By inserting in line 4 of section 4 after the word "convey" the words "or lease,"

8. By striking out of line 10 of section 11 the words "to recover the same,"

9. By striking out of line 8 of section 12 the word "request," and inserting in lieu thereof the word "bequest,"

10. By striking out of line 1 of section 13 the word "appealed" and inserting in lieu thereof the word "repealed,"

11. By striking out of line 2 of section 13 the word "appeal" and inserting in lieu thereof the word "repeal,"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Webber moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Webber,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS:

Mr. Abbott,	Mr. Dickson,	Mr. Makelim,	Mr. Rumsey,
Allen,	Diekema,	Manly,	Simpson,
Baker, S.,	Dougherty,	McCormick,	Snow,
Baldwin,	Dunbar,	McMillan,	Spencer,
Bardwell,	Eldred,	Mulvey,	Stuart,
Bates,	Engleman,	Ogg,	Thompson,
Baumgardner,	Goodrich,	O'Keefe,	Tindall,
Beecher,	Herrington,	Oviatt,	VanOrthwick,
Bettinger,	Hill,	Pardee,	Vickary,
Brock,	Hoaglin,	Perkins,	Vroman,
Burr,	Hoobler,	Pettit,	Washburn,
Cady,	Hosford,	Pierce,	Watson, F. H.,
Cannon,	Houk,	Powers,	Watson, H.,
Case,	Killeen,	Preston,	Watts,
Chamberlain,	Kirby,	Robinson, J. W.	Webber,
Chapell,	Lakey,	Robinson, R.	Wellman,
Chapman,	Lincoln,	Rogers,	Wilson,
Damon,	Linton,	Rounsville,	Speaker, 72

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 99 (file No. 34), entitled

A bill making an appropriation for the Pioneer Society of the State of Michigan, for the years eighteen hundred and eighty seven, and eighteen hundred and eighty-eight,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 147 (file No. 173), entitled

A bill to amend section 503 of the compiled laws of 1871, being section 511 of Howell's annotated statutes, as amended by act No. 134 of the session laws of 1883, being an act relative to the election of county auditors for the county of Wayne,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on judiciary.

THIRD READING OF BILLS.

Senate bill No. 124 (file No. 108), entitled

A bill to facilitate the commencement of suits in justice courts against joint defendants, one or more of whom shall not reside in or be found in the county where the suit shall be brought,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott, Allen, Baldwin, Bardwell, Bates, Baumgardner, Beecher, Breen, Brock, Burr, Cannon, Chamberlain, Chapell, Chapman, Cole,	Mr. Crocker, Damon, Diekema, Dougherty, Dunbar, Eldred, Goodrich, Harper, Herrington, Hoaglin, Hoobler, Houk, Killean, Kirby, Lahey,	Lincoln, Makelim, Manly, McCormick, McGregor, McMillan, Mulvey, Ogg, Pardee, Perkins, Petitt, Pierce, Powers, Preston, Robinson, J. W	Mr. Robinson, R., Rogers, Rumsey, Snow, Spencer, Stuart, Thompson, Tindall, Van Orthwick, Vickary, Washburn, Watson, H., Wellman, Wilson, Speaker, 60
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Mr. Anderson, Cady,	Mr. Dickson, Hosford,	Mr. Watts,	Mr. Williams, T. H. 6
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Title agreed to.

On motion of Mr. Mulvey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 293, (file No. 132), entitled

A bill to provide for the completion of biographical and historical work commenced by the semi-Centennial Commission,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Lakey,	Mr. Rogers,
Allen,	Cross,	Lincoln,	Rumsey,
Anderson,	Damon,	Makelim,	Snow,
Baldwin,	Dickson,	Manly,	Spencer,
Bardwell,	Dougherty,	McCormick,	Stuart,
Bates,	Dunbar,	McGregor,	Thompson,
Baumgardner,	Eldred,	McMillan,	Tindall,
Beecher,	Engleman,	Mulvey,	VanOrthwick,
Breen,	Goodrich,	Ogg,	Vickary,
Brock,	Harper,	O'Keefe,	Washburn,
Cady,	Hill,	Oviatt,	Watson, H.,
Cannon,	Hoaglin,	Pardee,	Watts,
Case,	Hoobler,	Pettit,	Wellman,
Chamberlain,	Hosford,	Pierce,	Williams, W. W.
Chapell,	Jones,	Powers,	Wilson,
Chapman,	Killean,	Robinson, J. W.	Speaker,
Cole,	Kirby,	Robinson, R.,	67

NAYS.

Mr. Rounselle,	Mr. Webber,	Mr. Williams, T. H.	3
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Title agreed to.

On motion of Mr. Rumsey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 322 (file No. 240), entitled

A bill to amend section 5219 of the compiled laws of 1871, being section 6782 of Howell's statutes, relative to appeals from orders of probate courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dougherty,	Mr. McMillan,	Mr. Stuart,
Anderson,	Dunbar,	Mulvey,	Thompson,
Bardwell,	Goodrich,	Ogg,	Tindall,
Beecher,	Herrington,	O'Keefe,	VanOrthwick,
Brock,	Hill,	Oviatt,	Vickary,
Burr,	Hoaglin,	Pardee,	Vroman,
Cady,	Hoobler,	Perkins,	Washburn,
Cannon,	Hosford,	Pettit,	Watson, F. H.,
Case,	Houk,	Pierce,	Watson, H.,
Chamberlain,	Jones,	Preston,	Watts,
Chapell,	Killean,	Robinson, J. W.	Webber,
Cole,	Kirby,	Robinson, R.,	Wellman,
Crocker,	Lakey,	Rogers,	Williams, W. W.,
Cross,	Makelim,	Rumsey,	Wilson,
Damon,	Manly,	Spencer,	Speaker,
Diekema,	McCormick,		62

SENATE CHAMBER,
Lansing, March 30, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 147 (file No. 173), entitled

A bill to amend section 503 of the compiled laws of 1871, being section 511 of Howell's annotated statutes, as amended by act No. 134 of the session laws of 1883, being an act relative to the election of county auditors for the county of Wayne,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on judiciary.

THIRD READING OF BILLS.

Senate bill No. 124 (file No. 108), entitled

A bill to facilitate the commencement of suits in justice courts against joint defendants, one or more of whom shall not reside in or be found in the county where the suit shall be brought,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Lincoln,	Mr. Robinson, R.,
Allen,	Damon,	Makelim,	Rogers,
Baldwin,	Diekema,	Manly,	Rumsey,
Bardwell,	Dougherty,	McCormick,	Snow,
Bates,	Dunbar,	McGregor,	Spencer,
Baumgardner,	Eldred,	McMillan,	Stuart,
Beecher,	Goodrich,	Mulvey,	Thompson,
Breen,	Harper,	Ogg,	Tindall,
Brock,	Herrington,	Pardee,	Van Orthwick,
Burr,	Hoaglin,	Perkins,	Vickary,
Cannon,	Hoobler,	Petitt,	Washburn,
Chamberlain,	Houk,	Pierce,	Watson, H.,
Chapell,	Killeen,	Powers,	Wellman,
Chapman,	Kirby,	Preston,	Wilson,
Cole,	Lakey,	Robinson, J. W	Speaker, 60

NAYS.

Mr. Anderson,	Mr. Dickson,	Mr. Watts,	Mr. Williams, T. H.
Cady,	Hosford,		6

Title agreed to.

On motion of Mr. Mulvey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 293, (file No. 132), entitled

A bill to provide for the completion of biographical and historical work commenced by the semi-Centennial Commission,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Lakey,	Mr. Rogers,
Allen,	Cross,	Lincoln,	Rumsey,
Anderson,	Damon,	Makelim,	Snow,
Baldwin,	Dickson,	Manly,	Spencer,
Bardwell,	Dougherty,	McCormick,	Stuart,
Bates,	Dunbar,	McGregor,	Thompson,
Baumgardner,	Eldred,	McMillan,	Tindall,
Beecher,	Engleman,	Mulvey,	VanOrthwick,
Breen,	Goodrich,	Ogg,	Vickary,
Brock,	Harper,	O'Keefe,	Washburn,
Cady,	Hill,	Oviatt,	Watson, H.,
Cannon,	Hoaglin,	Pardee,	Watts,
Case,	Hoobler,	Pettit,	Wellman,
Chamberlain,	Hosford,	Pierce,	Williams, W. W
Chapell,	Jones,	Powers,	Wilson,
Chapman,	Killean,	Robinson, J. W.	Speaker,
Cole,	Kirby,	Robinson, R.,	67

NAYS.

Mr. Rounselle,	Mr. Webber,	Mr. Williams, T. H.	3
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Title agreed to.

On motion of Mr. Rumsey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 322 (file No. 240), entitled

A bill to amend section 5219 of the compiled laws of 1871, being section 6782 of Howell's statutes, relative to appeals from orders of probate courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dougherty,	Mr. McMillan,	Mr. Stuart,
Anderson,	Dunbar,	Mulvey,	Thompson,
Bardwell,	Goodrich,	Ogg,	Tindall,
Beecher,	Herrington,	O'Keefe,	VanOrthwick,
Brock,	Hill,	Oviatt,	Vickary,
Burr,	Hoaglin,	Pardee,	Vroman,
Cady,	Hoobler,	Perkins,	Washburn,
Cannon,	Hosford,	Pettit,	Watson, F. H.,
Case,	Houk,	Pierce,	Watson, H.,
Chamberlain,	Jones,	Preston,	Watts,
Chapell,	Killean,	Robinson, J. W.	Webber,
Cole,	Kirby,	Robinson, R.,	Wellman,
Crocker,	Lakey,	Rogers,	Williams, W W,
Cross,	Makelim,	Rumsey,	Wilson,
Damon,	Manly,	Spencer,	Speaker,
Diekema,	McCormick,		69

NAYS.

Mr. Abbott,	Mr. Dakin,	Mr. Dickson,	Mr. Simpson,	5
Chapman,				

Title agreed to.

House bill No. 327 (file No. 247), entitled

A bill to authorize the sale in certain cases of land devised or bequeathed by will without power of sale,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Diekema,	Mr. Makelim,	Mr. Rounsville,
Baldwin,	Dougherty,	Manly,	Rumsey,
Bardwell,	Eldred,	McCormick,	Simpson,
Bates,	Goodrich,	McMillan,	Spencer,
Beecher,	Grenell,	Mulvey,	Thompson,
Breen,	Harper,	O'Keefe,	Tindall,
Brock,	Herrington,	Oviatt,	Van Orthwick,
Burr,	Hill,	Perkins,	Vickary,
Cannon,	Hoaglin,	Pettit,	Vroman,
Case,	Houk,	Powers,	Watson, F. H.,
Cole,	Jones,	Preston,	Watson, H.,
Crocker,	Killean,	Robinson, J. W.	Wellman,
Cross,	Kirby,	Robinson, R.,	Williams, W. W
Damon,	Lakey,		54

NAYS.

Mr. Abbott,	Mr. Dickson,	Mr. Rogers,	Mr. Watts,
Chapell,	Dunbar,	Snow,	Williams, T. H.,
Dakin,	Engleman,	Stuart,	Wilson,
			12

Title agreed to.

House bill No. 149 (file No. 252), entitled

A bill to authorize the county of Presque Isle to issue bonds and to create a sinking fund for the payment thereof, and of bonds heretofore issued,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Manly moved to amend the bill by striking out in line 2, section 2, the word "thousand," and inserting the word "hundred" in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Manly moved to amend the bill by striking out in line 7, section 2, the words, "at the time of the issue of said bonds," and inserting the words "January 1st, 1887,"

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Wilson moved to amend the bill by inserting at the beginning of section 2 the words, "said money shall not be borrowed nor such bonds issued unless a majority of the qualified electors of said county voting at a special election to be called for the purpose of voting on such law, shall so determine,"

Which motion did not prevail, two-thirds of all the members present not voting therefor.

The bill was then passed, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Hosford,	Mr. Robinson, J. W.
Allen,	Cole,	Houk,	Rogers,
Anderson,	Crocker,	Jones,	Snow,
Baker, S.,	Damon,	Killean,	Spencer,
Baldwin,	Dickson,	Kirby,	Thompson,
Bardwell,	Diekema,	Lakey,	Tindall,
Bates,	Dougherty,	Lincoln,	Van Orthwick,
Baumgardner,	Dunbar,	Linton,	Vickary,
Bettinger,	Eldred,	Manly,	Washburn,
Bentley,	Engleman,	McCormick,	Watson, F. H.
Breen,	Goodrich,	McGregor,	Watson, H.
Brock,	Grenell,	McMillan,	Watts,
Burr,	Harper,	Mulvey,	Webber,
Cady,	Herrington,	Ogg,	Wellman,
Cannon,	Hill,	Perkins,	Williams, W. W.
Case,	Hoaglin,	Pettit,	Speaker.
Chapell,	Hoobler,	Preston,	67

NAYS.

Mr. Dakin,	Mr. Powers,	Mr. Simpson,	Mr. Wilson,
Dillon,	Robinson, R.,	Stuart,	7

Title agreed to.

On motion of Mr. Perkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 255 (file No. 134), entitled

A bill to amend sections 5 and 6 of act No. 310 of the local acts of 1877, approved April 21, 1877, being an act entitled "An act to regulate the time for holding the annual meeting and the manner of electing trustees in union school district No. 1 of the city of Jackson, and to repeal section 2 of act 340 of the session laws of 1875," approved April 22, 1875,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbot,	Mr. Dakin,	Mr. Lakey,	Mr. Rounselle,
Allen,	Dickson,	Makelim,	Rumsey,
Anderson,	Diekema,	Manly,	Snow,
Baker, S.	Dillon,	McCormick,	Spencer,
Baldwin,	Dougherty,	McGregor,	Stuart,
Bardwell,	Dunbar,	McMillan,	Thompson,
Bates,	Eldred,	Mulvey,	Tindall,
Baumgardner,	Engleman,	Ogg,	Van Orthwick,
Bettinger,	Goodrich,	O'Keefe,	Vickary,
Breen,	Grenell,	Oviatt,	Washburn,
Brock,	Harper,	Pardee,	Watson, F. H.
Burr,	Herrington,	Perkins,	Watson, H.,
Cady,	Hill,	Pettit,	Watts,

Mr. Cannon,	Mr. Hoaglin,	Mr. Pierce,	Mr. Webber,
Case,	Hoobler,	Powers,	Wellman,
Chapell,	Houk,	Preston,	Williams, T. H.
Chapman,	Jones,	Robinson, J. W.	Williams, W. W.
Cole,	Killean,	Robinson, R.,	Wilson,
Cross,	Kirby,	Rogers,	Speaker, 76.

NAYS.

0

Title agreed to.

On motion of Mr. T. H. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 586 (file No. 254), entitled

A bill making an appropriation for the purchase of books for the State library, and for other purposes pertaining to the State library for the years 1887 and 1888.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Kirby,	Mr. Robinson, R.,
Allen,	Cross,	Lincoln,	Rogers,
Anderson,	Dakin,	Linton,	Rounsville,
Baker, S.,	Damon,	Makelim,	Simpson,
Baldwin,	Dickson,	Manly,	Spencer,
Bardwell,	Dunbar,	McCorrick,	Thompson,
Bates,	Eldred,	McGregor,	Tindall,
Baumgardner,	Engleman,	McMillan,	VanOrthwick,
Bettinger,	Goodrich,	Mulvey,	Vickary,
Bentley,	Grenell,	Ogg,	Vroman,
Breen,	Harper,	O'Keefe,	Washburn,
Brock,	Herrington,	Oviatt,	Watson, F. H.,
Burr,	Hill,	Pardee,	Watson, H.
Cady,	Hoaglin,	Perkins,	Watts,
Cannon,	Hosford,	Pettit,	Webber,
Case,	Houk,	Pierce,	Wellman,
Chapell,	Jones,	Powers,	Williams, T. H.
Chapman,	Kelley,	Preston,	Williams, W. W.
Cole,	Killean,	Robinson, J. W.	75.

NAYS.

0

Title agreed to.

On motion of Mr. Simpson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Herrington moved that

House bill No. 469 (file No. 293), entitled

A bill to amend sections 9 and 10 of chapter 170 of the compiled laws of Michigan of 1871, being compiler's sections 6231 and 6232 of Howell's annotated statutes of Michigan, relative to divorce, and to add three new sections to said chapter to stand as sections 44, 45 and 46,

Be made the special order for Thursday, April 7, at 2:15 P. M.

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Hosford moved to take from the table

House bill No. 400, entitled

A bill to limit the holding of land in this State by corporations of other States and foreign countries,

Which motion prevailed.

On motion of Mr. Hosford,

The bill was referred to the committee on public lands.

On motion of Mr. Bates,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The Senate resumed the order of

THIRD READING OF BILLS.

Senate bill No. 103 (file No. 46), entitled

A bill to amend section 25 of an act entitled "An act to amend, revise and consolidate the laws organizing asylums for the insane, and regulating the care and management thereof, and of the inmates therein, and to repeal act 164, laws of 1859; also act 194, laws of 1877; also act 91, laws of 1873, and the acts amendatory thereof; also act 172, laws of 1873," being act 135, laws of 1885,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Cross,	Mr. Kirby,	Mr. Rumsey,
Baker, S.	Damon,	Lakey,	Spencer,
Baldwin,	Dickson,	Lincoln,	Stuart,
Bardwell,	Diekema,	Manly,	Thompson,
Bates,	Dougherty,	McCormick,	Tindall,
Beecher,	Douglass,	McMillan,	Van Orthwick,
Bettinger,	Dunbar,	Mulvey,	Vickary,
Breen,	Eldred,	Pardee,	Vroman,
Brock,	Goodrich,	Perkins,	Washburn,
Burr,	Harper,	Pottit,	Watson, H.
Cady,	Hill,	Pierce,	Watts,
Cannon,	Hoaglin,	Powers,	Webber,
Case,	Hosford,	Preston,	Wellman,
Chapell,	Hous,	Rentz,	Williams, W. W.
Chapman,	Jones,	Robinson, J. W.	Wilson,
Cole,	Killean,	Robinson, R.,	Speaker, 65
Crocker,			

NAYS.

0

Title agreed to.

On motion of Mr. Perkins,

By a two-thirds vote of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 13 (file No 4), entitled

Joint resolution authorizing and instructing the Secretary of State to furnish the Commissioner of Railroads with certified copies of articles of association, and other papers connected with the corporate organization of railroads and filed in the office of said Secretary of State, under the provisions of the general railroad laws,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Kirby,	Mr. Robinson, R.,
Allen,	Cross,	Lakey,	Rogers,
Anderson,	Damon,	Lincoln,	Rumsey,
Baldwin,	Dickson,	Linton,	Spencer,
Bardwell,	Dougherty,	Manly,	Stuart,
Bates,	Douglass,	McGregor,	Thompson,
Beecher,	Dunbar,	McMillan,	Tindall,
Bettinger,	Eldred,	Mulvey,	Van Orthwick,
Breen,	Goodrich,	Pardee,	Vickary,
Brock,	Harper,	Perkins,	Vroman,
Burr,	Herrington,	Pettit,	Washburn,
Cady,	Hill,	Pierce,	Watts,
Cannon,	Hoaglin,	Powers,	Webber,
Case,	Hosford,	Preston,	Wellman,
Chapell,	Houk,	Rentz,	Williams, W.W.
Chapman,	Jones,	Robinson, J.W.	Wilson, 66
Cole,	Killeen,		

NAYS.

Mr. Snow:

1

Title and preamble agreed to.

House joint resolution No. 11 (file No. 6), entitled

Joint resolution granting blocks Nos. 78 and 79, city of Lansing, to the city of Lansing for a public park,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Lincoln,	Mr. Rumsey,
Allen,	Dickson,	Linton,	Simpson,
Anderson,	Diekema,	Manly,	Snow,
Baker, S.,	Dougherty,	McCormick,	Spencer,
Bardwell,	Douglass,	McGregor,	Stuart,
Bates,	Dunbar,	McMillan,	Thompson,
Beecher,	Eldred,	Mulvey,	Tindall,
Bettinger,	Engleman,	Pardee,	Van Orthwick,
Breen,	Goodrich,	Perkins,	Vickary,

Mr. Brock,	Mr. Harper,	Mr. Pettit,	Mr. Vroman,
Burr,	Herrington,	Pierce,	Watson, F. H.,
Cady,	Hill,	Powers,	Watson, H.,
Cannon,	Hoaglin,	Preston	Watts,
Case,	Jones,	Rentz,	Wellman,
Chapell,	Killean,	Robinson, J. W.	Williams, W. W
Chapman,	Kirby,	Robinson, R.,	Wilson,
Cole,	Lakey,	Rogers,	Speaker.
Cross,			

69

NAYS.

0

Title and preamble agreed to.

On motion of Mr. Preston,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

House bill No. 204 (file No. 158), entitled

A bill to amend section 2, of chapter 2 of an act entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto, being act No. 227 of the session laws of 1885, approved June 20, 1885, relative to the appointment of county drain commissioners in certain cases,

Was read a third time and pending the taking of the vote on the passage thereof,

Mr. Kirby moved to amend the bill so as to provide that there shall be at least three petitioners from each township interested.

Pending which

Mr. Snow moved that the bill be reprinted, referred to committee of the whole, and placed on the general order,

Which motion did not prevail.

The question then being on amending the bill,

The motion did not prevail, two-thirds of all the members present not voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Lincoln,	Mr. Rumsey,
Baker, S.	Diekema,	Manly,	Simpson,
Bardwell,	Dougherty,	McCormick,	Spencer,
Bates,	Douglass,	McMillan,	Thompson,
Baumgardner,	Dunbar,	Mulvey,	Tindall,
Beecher,	Eldred,	Oviatt,	Vroman,
Bettinger,	Goodrich,	Pardee,	Washburn,
Brock,	Harper,	Pettit,	Watson, F. H.
Cady,	Hill,	Pierce,	Watts,
Chapell,	Hoaglin,	Powers,	Webber,
Chapman,	Hoobler,	Robinson, J. W.	Wellman,
Cole,	Houk,	Robinson, R.,	Williams, W. W
Cross,	Jones,	Rogers,	Wilson,
Damon,	Killean,	Rounsville,	Speaker,

56

NAYS.

Mr. Allen,	McGregor,	Rentz,	Stuart,
Breen,	Preston,	Snow,	Van Orthwick,
Kirby,			9

Title agreed to.

On motion of Mr. Rounsville,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 659 (file No. 209), entitled

A bill to amend act 179 of the public acts of 1883, entitled "An act to regulate the width of wagon tires to be used with lumber wagons,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Killean,	Robinson, R.,
Allen,	Cole,	Kirby,	Rounsville,
Anderson,	Crocker,	Lincoln,	Rumsey,
Baker, S.,	Cross,	Linton,	Snow,
Baldwin,	Damon,	Manly,	Spencer,
Bardwell,	Dickson,	McCormick,	Thompson,
Bates,	Diekema,	McGregor,	Tindall,
Baumgardner,	Dillon,	McMillan,	Vickary,
Bettinger,	Dougherty,	Mulvey,	Washburn,
Breen,	Douglass,	Oviatt,	Watson, F. H.,
Brock,	Dunbar,	Pardee,	Watson, H.
Burr,	Goodrich,	Pettit,	Webber,
Cady,	Hill,	Powers,	Wellman,
Case,	Hosford,	Rentz,	Williams, W.W.
Chapell,			57

NAYS.

Mr. Cannon,	Mr. Hoaglin,	Mr. Robinson, J.W.	Mr. Van Orthwick,
Eldred,	Houk,	Rogers,	Vroman,
Engleman,	Preston,	Simpson,	Wilson,
			12

The question being on agreeing to the title,

Mr. Tindall moved to amend the title as follows:

By inserting after the word "amend" the words "sections 1 and 2 of," and by adding at the end the words "approved June 8, 1883,"

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Tindall,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 909 (file No. 248), entitled

A bill to amend section 6440 of the compiled laws of 1871, being section 8031 of Howell's annotated statutes of Michigan, relative to the liability of garnishees in justice courts,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Webber,

The bill was laid on the table.

Senate bill No. 93 (file No. 28), entitled

A bill to amend section 3 of chapter 16 of the revised statutes of 1846, as amended by act No. 212 of the session laws of 1875, being compiler's section No. 671 of Howell's annotated statutes, relative to the powers and duties of townships,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Dakin,	Mr. Lakey,	Mr. Rogers,
Allen,	Damon,	Lincoln,	Rounsville,
Baldwin,	Dickson,	Linton,	Rumsey,
Bardwell,	Diekema,	Manly,	Simpson,
Bates,	Dillon,	McCormick,	Spencer,
Baumgardner,	Dougherty,	McGregor,	Thompson,
Beecher,	Douglass,	McMillan,	Van Orthwick,
Bettinger,	Dunbar,	Mulvey,	Vickary,
Breen,	Eldred,	Oviatt,	Vroman,
Brock,	Goodrich,	Pardee,	Washburn,
Burr,	Harper,	Perkins,	Watson, H.,
Cady,	Herrington,	Pettit,	Watts,
Cannon,	Hill,	Pierce,	Webber,
Case,	Hoaglin,	Powers,	Wellman,
Chapell,	Hoobler,	Preston,	Williams, T.H.
Chapman,	Hosford,	Rentz,	Wilson,
Cole,	Killeen,	Robinson, J.W.	Speaker,
Cross,	Kirby,	Robinson, R.,	71

NAYS.

Mr. Houk, 1

Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 439 (file No. 255), entitled

A bill to provide a general law under which corporations may be formed to carry on printing, publishing, and book-making, and any or either of them,

Was read a third time, and pending the taking the vote on the passage thereof,

On motion of Mr. Herrington,

The bill was laid on the table.

House bill No. 671 (file No. 257), entitled

A bill authorizing the trustees of the Michigan asylum for the insane at Kalamazoo to deed to the city of Kalamazoo certain State lands in the said city of Kalamazoo for street purposes,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, and follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Lincoln,	Mr. Rounsville,
Allen,	Diekema,	Linton,	Rumsey,

Mr. Baldwin,	Mr. Dillon,	Mr. Manly,	Mr. Simpson,
Bardwell,	Dougherty,	McCormick,	Snow,
Bates,	Douglass,	McGregor,	Spencer,
Baumgardner,	Dunbar,	McKie,	Thompson,
Beecher,	Eldred,	McMillan,	Tindall,
Bettinger,	Engleman,	Mulvey,	VanOrthwick,
Breen,	Goodrich,	Oviatt,	Vickary,
Burr,	Harper,	Pardee,	Vroman,
Cady,	Herrington,	Perkins,	Washburn,
Canlon,	Hill,	Pettit,	Watson, F. H.,
Case,	Hoaglin,	Pierce,	Watson, H.,
Chapell,	Hoobler,	Powers,	Watts,
Chapman,	Hosford,	Preston,	Webber,
Cole,	Houk,	Rentz,	Williams, W. W
Cross,	Killean,	Robinson, J. W.	Wilson,
Dakin,	Kirby,	Robinson, R.,	Speaker,
Damon,	Lakey,	Rogers,	

75

NAYS.

0

Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 857 (file No. 270), entitled

A bill to change the boundaries of school district No. 1, in the township of Fayette, and fractional school district No. 12, in the townships of Adams, Moscow, and Fayette, in the county of Hillsdale,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dougherty,	Mr. Manly,	Mr. Rounsville,
Allen,	Douglass,	McCormick,	Rumsey,
Anderson,	Dunbar,	McGregor,	Simpson,
Baker, S.,	Eldred,	McKie,	Spencer,
Bardwell	Engleman,	McMillan,	Thompson,
Bates,	Goodrich,	Mulvey,	Tindall,
Baumgardner,	Grenell,	Oviatt,	VanOrthwick,
Beecher,	Harper,	Pardee,	Vickary,
Bettinger,	Herrington,	Perkins,	Vroman,
Breen,	Hill,	Pettit,	Washburn,
Brock,	Hoaglin,	Pierce,	Watson, H,
Cady,	Hoobler,	Powers,	Watts,
Chapell,	Hosford,	Preston,	Webber,
Chapman,	Killean,	Rentz,	Wellman,
Cole,	Kirby,	Robinson, J. W.	Williams, W. W.
Dakin,	Lakey,	Robinson, R.,	Wilson,
Damon,	Lincoln,	Rogers,	Speaker,
Dickson,	Linton,		

70

NAYS.

0

Title agreed to.

House bill No. 888 (file No. 271), entitled

A bill to change the termination of the fiscal year of the State from September 30, to June 30,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Lincoln,	Mr. Rounsville,
Allen,	Dillon,	Linton,	Rumsey,
Baker, S.,	Dougherty,	McCormick,	Simpson,
Baldwin,	Douglass,	McGregor.	Spencer,
Bardwell,	Dunbar,	McKie,	Thompson,
Bates,	Eldred,	McMillan,	Tindall,
Baumgardner,	Engleman,	Mulvey,	Van Orthwick,
Beecher,	Goodrich,	Oviatt,	Vickary,
Bettinger,	Grenell,	Pardee,	Vroman,
Breen,	Harper,	Perkins,	Washburn,
Brock,	Herrington,	Pettit,	Watts,
Burr,	Hill,	Pierce,	Webber,
Cannon,	Hoaglin,	Powers,	Wellman,
Case,	Hoobler,	Preston,	Williams, T. H.
Chapell,	Houk,	Rentz,	Williams, W. W.
Cole,	Killean,	Robinson, J. W.	Wilson,
Cross,	Kirby,	Robinson, R.,	Speaker,
Damon,	Lakey,	Rogers,	71

NAYS.

Mr. Hosford,

1

Title agreed to.

On motion of Mr. Rumsey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 55 (file No. 273), entitled

A bill to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic in this State,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. T. H. Williams moved to amend the bill by inserting in line 2, section 7, after the words "Republic, or," the words, "the badge of the military order of the Loyal Legion of the United States;" also by inserting in line 4, after the word "Republic," the words "and the Michigan Commandery of the military order of the Loyal Legion of the United States,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Manly,	Mr. Rumsey,
Allen,	Diekema,	McCormick,	Simpson,
Baldwin,	Dillon,	McKie,	Spencer,
Bardwell,	Douglass,	McMillan,	Thompson,
Baumgardner,	Eldred,	Mulvey,	Tindall,
Beecher,	Engleman,	Oviatt,	Van Orthwick,

Mr. Bettinger,	Mr. Grenell,	Mr. Pardee,	Mr. Vickary,
Breen,	Harper,	Perkins,	Vroman,
Burr,	Hill,	Pettit,	Washburn,
Cady,	Hosford,	Powers,	Watson, F. H.,
Cannon,	Killean,	Rentz,	Watts,
Case,	Kirby,	Robinson, J. W	Williams, T. H.
Chapell,	Lakey,	Robinson, R.,	Williams, W. W,
Chapman,	Lincoln,	Rogers,	Speaker,
Cole,	Linton,	Rounsville,	59

NAYS.

Mr. Dunbar,	Mr. Hoaglin,	Mr. McGregor,	3
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The question being on agreeing to the title,

Mr. T. H. Williams moved to amend the title by adding at the end the words "or the badge of the Loyal Legion of the United States,"

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. T. H. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 771 (file No. 274), entitled

A bill to authorize Bay county to borrow money to build and repair bridges across the Saginaw river,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Linton,	Mr. Rounsville,
Allen,	Dillon,	Manly,	Rumsey,
Baker, S.,	Dougherty,	McCormick,	Simpson,
Baldwin,	Douglass,	McGregor,	Spencer,
Bardwell,	Dunbar,	McKie,	Thompson,
Bates,	Eldred,	McWillan,	Tindall,
Baumgardner,	Engleman,	Mulvey,	VanOrthwick,
Beecher,	Goodrich,	Oviatt,	Vickary,
Bettinger,	Grenell,	Pardee,	Vroman,
Breen,	Harper,	Pettit,	Washburn,
Burr,	Herrington,	Pierce,	Watson, F. H.,
Cady,	Hoaglin,	Powers,	Watson, H.,
Cannon,	Hosford,	Preston,	Watts,
Case,	Houk,	Rentz,	Webber,
Chapell,	Killean,	Robinson, J. W	Wellman,
Chapman,	Kirby,	Robinson, R.,	Williams, W. W
Cole,	Lakey,	Rogers,	69
Damon,	Lincoln,		

NAYS.

0

Title agreed to.

On motion of Mr. Rumsey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 656 (file No. 276), entitled

A bill to organize a medical corps of the Michigan State troops,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Kirby,	Mr. Rounselle,
Allen,	Dickson,	Lakey,	Rumsey,
Anders n,	Dillon,	Lincoln,	Simpson,
Baker, S.,	Dougherty,	Linton,	Spencer,
Baldwin,	Douglass,	Manly,	Thompson,
Bardwell,	Dunbar,	McCormick,	Tindall,
Bates,	Eldred,	McGregor,	VanOrtheast,
Baumgardner,	Engleman,	McKie,	Vickary,
Beecher,	Goodrich,	McMillan,	Vroman,
Bettinger,	Grenell,	Pardee,	Washburn,
Bentley,	Harper,	Perkins,	Watson, F. H.
Burr,	Herrington,	Pierce,	Watson H.
Cady,	Hill,	Powers,	Watts,
Cannon,	Hoaglin,	Preston,	Wellman,
Case,	Hosford,	Rentz,	Williams, T. H.
Chapell,	Houk,	Robinson, J. W.	Williams, W. W.
Chapman,	Jones,	Robinson, R.,	Wilson,
Cole,	Killeen,	Rogers,	Speaker, 72

NAYS.

Mr. Webber,

1

Title agreed to.

House bill No. 709 (file No. 277), entitled

A bill to require railroad companies to give notice at stations whether passenger trains are on schedule time or not.

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Baldwin moved to amend the bill by adding at the end of section 1 the words:

"Provided, that this act shall not apply to trains at stations having no night operator."

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. T. H. Williams moved to amend the bill by striking out in line 4, section 1, the words "at least four feet in length and two feet in width," and inserting in lieu thereof the words "of sufficient size to bulletin all passenger trains that stop at such station."

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. McKie moved to amend the bill by striking out in line 7, section 1, the words "on schedule time or not," and inserting in lieu thereof the word "late,"

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. T. H. Williams moved that the bill do lie on the table,

Which motion did not prevail.

Mr. Diekema moved to amend the bill by striking out in line 3, section 2, all after the word "Michigan," and all of lines 4 and 5,

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Herrington moved to amend the bill by inserting in line 1, section 1, and line 1, section 2, before the word "company," the word "corporation,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Houk,	Mr. Robinson R.,
Allen,	Damon,	Killeen,	Snow,
Anderson,	Diekema,	Kirby,	Spencer,
Baker, S.,	Dillon,	Lakey,	Tindall,
Baldwin,	Dougherty,	Lincoln,	Van Orthwick,
Bardwell,	Douglass,	Manly,	Washburn,
Baumgardner,	Dunbar,	McGregor,	Watson, F. H.
Beecher,	Eldred,	McKie,	Watson, H.,
Bettinger,	Goodrich,	Mulvey,	Webber,
Bentley,	Grenell,	Oviatt,	Wellman,
Breen,	Harper,	Perkins,	Williams, W. W
Burr,	Herrington,	Powers,	Wilson,
Chapell,	Hill,	Preston,	Speaker,
Cole,	Hoobler,	Robinson, J. W.	55

NAYS.

Mr. Bates,	Mr. Engleman,	Mr. McMillan,	Mr. Simpson,
Cady,	Hoaglin,	Pardee,	Vickary,
Cannon,	Hosford,	Pettit,	Watts,
Chapman,	McCormick,	Rumsey,	Williams, T. H,
			16

Title agreed to.

Senate bill No. 91 (file No. 26), entitled

A bill to amend act number 200 of the session laws of 1849, being compiler's section number 750 of Howell's annotated statutes, relative to raising money by township boards,

Was read a third time and passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Kirby,	Mr. Robinson, J. W.,
Allen,	Damon,	Lakey,	Robinson, R.,
Anderson	Dickson,	Lincoln,	Rogers,
Baldwin,	Diekema,	Manly,	Simpson,
Bardwell,	Dillon,	McCormick,	Spencer,
Baumgardner,	Douglass,	McGregor,	Thompson,
Beecher,	Dunbar,	McKie,	Tindall,
Bettinger,	Engleman,	McMillan,	Van Orthwick,
Bentley,	Goodrich,	Mulvey,	Vroman,
Breen,	Grenell,	Oviatt,	Watson, F. H.,
Burr,	Harper,	Pardee,	Watts,
Cady,	Hill,	Perkins,	Webber,

Mr. Chapell, Chapman, Cole, Crocker,	Mr. Hoobler, Hosford, Killean,	Mr. Pettit, Pierce, Preston,	Mr. Wellman, Williams, W. W. Speaker,	61
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NAYS.

Mr. Baker, S.,	Mr. Cannon,	Mr. Houk,	Mr. Snow,	4
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Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 92 (file No. 27), entitled

A bill to amend section 75 of chapter sixteen of the revised statutes of 1846, being compiler's section No. 749 of Howell's annotated statutes, relative to powers and duties of township boards,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott, Allen, Anderson, Baldwin, Bardwell, Bates, Baumgardner, Beecher, Bettinger, Burr, Cady, Cannon, Case, Chapell, Chapman, Cole, Cross,	Mr. Dakin, Damon, Dickson, Diekema, Dillon, Dougherty, Douglass, Dunbar, Eldred, Goodrich, Grenell, Harper, Herrington, Hill, Hoaglin, Hoobler,	Mr. Hosford, Houk, Killean, Kirby, Lakey, Lincoln, Linton, Manley, McCormick, McGregor, Mulvey, Oviatt, Pardee, Perkins, Pettit, Rogers,	Mr. Rounsville, Rumsey, Simpson, Snow, Thompson, Tindall, Van Orthwick, Vroman, Washburn, Watson, F. H., Watson, H., Webber, Wellman, Williams, W. W. Wilson, Speaker,	65
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NAYS

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Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 60 (file No. 18), entitled

A bill to amend section 1 of an act entitled "An act requiring judges of probate in certain cases to give notice to foreign consuls of an application for administration in the estate of deceased persons," being compiler's section 6812 of Howell's annotated statutes of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Dakin,	Mr. Killean,	Mr. Preston
Allen,	Damon,	Kirby,	Rogers,
Anderson,	Diekema,	Lakey,	Rounsville,
Bates,	Dillon,	Lincoln,	Simpson,
Baumgardner,	Dougherty,	Linton,	Snow,
Beecher,	Douglass,	Manly,	Stuart,
Bettinger,	Eldred,	McCormick,	Thompson,
Bentley,	Engleman,	McGregor,	Tindall,
Breen,	Goodrich,	McKie,	VanOrthwick,
Burr,	Grenell,	McMillan,	Vroman,
Cady,	Harper,	Mulvey,	Washburn,
Cannon,	Herrington,	Oviatt,	Watson, F. H.
Chapell,	Hill,	Pardee,	Watts,
Chapman,	Hoaglin,	Perkins,	Webber,
Cole,	Hoobler,	Pettit,	Wellman,
Crocker,	Hosford,	Pierce,	Wilson,
Cross,	Houk,	Powers,	Speaker, 68

NAYS.

0

Title agreed to.

On motion of Mr. McMillan,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

Senate bill No. 218 (file No. 99), entitled

A bill to enable the State Agricultural Society to permanently locate the place of holding its annual fairs,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Hoobler,	Mr. Preston,
Allen,	Cole,	Hosford,	Robinson, J. W.
Anderson,	Crocker,	Houk,	Rogers,
Baker, S.,	Cross,	Killean,	Rounsville,
Baldwin,	Damon,	Kirby,	Simpson,
Bardwell,	Dickson,	Lincoln,	Snow,
Baumgardner,	Dillon,	Linton,	Stuart,
Beecher,	Dougherty,	Manly,	Thompson,
Bettinger,	Douglass,	McCormick,	Tindall,
Bentley,	Eldred,	McGregor,	VanOrthwick,
Breen,	Engleman,	McKie,	Washburn,
Burr,	Goodrich,	Mulvey,	Watson, H.
Cady,	Grenell,	Oviatt,	Watts,
Cannon,	Harper,	Pardee,	Williams, T. H.
Case,	Hill,	Perkins,	Williams, W. W.
Chapell,	Hoaglin,	Pettit,	Speaker, 75

NAYS.

Mr. McMillan,	Mr. Webber,	Mr. Wellman,	Mr. Wilson,	4
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Title agreed to.

Senate bill No. 42 (file No. 22), entitled

A bill in relation to jurors in courts of record in Wayne county, and to revise the laws relative thereto,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Hosford moved to amend the bill by adding a new section to stand as section 28, as follows:

SEC. 28. Not more than six members of the Board of Jury Commissioners shall be members of the same political party,

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Damon moved to amend the bill by inserting in line 6, sec. 25 after the word "colleges" the words "the senior member of any firm of druggists or pharmacists."

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dakin,	Mr. Manly,	Mr. Rogers,
Allen,	Damon,	McCormick,	Rumsey,
Baker, S.,	Dougherty,	McGregor,	Simpson,
Baldwin,	Dunbar,	McMillan,	Snow,
Bates,	Eldred,	Mulvey,	Spencer,
Beecher,	Goodrich,	Ogg,	Thompson,
Bettinger,	Grenell,	Oviatt,	Tindall,
Bentley,	Hill,	Pardee,	VanOrthwick,
Breen,	Hoaglin,	Perkins,	Vickary,
Burr,	Hoobler,	Pettit,	Vroman,
Cady,	Hosford,	Pierce,	Washburn,
Cannon,	Killean,	Preston,	Watson, F. H.
Case,	Kirby,	Rentz,	Watson, H.,
Chapman,	Lahey,	Robinson, J. W.	Williams, W. W.
Cole,	Lincoln,	Robinson, R.,	Speaker,
Crocker,			58

NAYS.

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Title agreed to.

UNFINISHED BUSINESS

Being the consideration of Senate amendment to House bill No. 319 (file No. 121), entitled

A bill to provide for the incorporation of associations for the purpose of constructing, owning, controlling, and leasing buildings for hotels,

Which had been reported amended as follows:

By inserting in line 3 of section 1 after the word "hotel" the words "elevators or public halls."

And further to inform the House that the Senate has amended the title to the bill as follows:

By adding to the end thereof the words "elevators or public halls."

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Hosford,
The House concurred, a majority of all the members elect voting therefor
by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Manly,	Mr. Snow,
Allen,	Dillon,	McCormick,	Spencer,
Baker, S.,	Dougherty,	McGregor,	Stuart,
Baldwin,	Eldred,	McMillan,	Thompson,
Bardwell,	Goodrich,	Ogg,	Tindall,
Bates,	Grenell,	Oviatt,	VanOrthwick,
Beecher,	Harper,	Pardee,	Vickary,
Bettinger,	Hill,	Perkins,	Vroman,
Bentley,	Hoaglin,	Pettit,	Washburn,
Breen,	Hoobler,	Pierce,	Watson, F. H.,
Burr,	Hosford,	Preston,	Watson, H.,
Cady,	Kelley,	Rentz,	Watts,
Case,	Killean,	Robinson, J. W.	Wellman,
Chapman,	Kirby,	Robinson, R.	Williams, W. W.
Cole,	Lakey,	Rogers,	Wilson,
Crocker,	Lincoln,	Rounsiville,	Speaker, 67
Damon,	Linton,	Simpson,	

NAYS.

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The question then being on concurring in the amendment made by the
Senate to the title of the bill,
The House concurred.

The bill was referred to the committee on engrossment and enrollment
for enrollment.

Also the following:

WHEREAS, Certain newspapers in this State have published certain affi-
davits purporting to be signed by F. Miller and W. H. Bender, detrimental
to the character of John N. Foster and his management as superintendent of
the public school at Coldwater.

Resolved, (the Senate concurring), That the standing committees on State
public schools be and are hereby instructed to proceed at once to investigate
the charges made in said affidavits.

Resolved further, That said committee be and is hereby authorized to hold
sessions at the State Public School at Coldwater, or elsewhere, to administer
oaths, to enforce the attendance of witnesses, to take testimony, to employ a
clerk or stenographer if they shall find the same necessary, and to perform
all such duties as it shall deem best to ascertain fully the truth or falsity of
said affidavits ; also, as to the management of said institution, and report
their doings to this Legislature at the earliest possible day.

The question being on the adoption of the resolution,

Mr. Chapman offered the following substitute for the resolution:

WHEREAS, it is a well known fact to all persons at all familiar with the
daily news as distributed by the press, that an investigation of certain
serious charges against the Superintendent of the State Public School at
Coldwater is now in progress, conducted by the board of control of that in-
stitution; and

WHEREAS, said board of control is made up of gentlemen of eminent ability and large experience in the conduct of public affairs, as well as embracing within its membership gentlemen of both the leading political parties thereby precluding any possibility of favoritism; therefore

Resolved, That we believe the matter of irregularities, or immorality, in the State Public School, or its management, can and will be as fully and thoroughly investigated by the Board of Control of that institution as it would be possible so to do by a committee of this Legislature; and further

Resolved, That in all fairness to that Board of Control it ought to be permitted to complete the work it has so promptly undertaken, without any interference on the part of this Legislature. That should their action in the matter be unsatisfactory it will then be time to take the case in hand and authorize such further examination as may seem necessary.

The question being on agreeing to the substitute for the resolution,

The substitute was agreed to.

The question being on the adoption of the resolution as amended by the substitute,

Mr. Manly moved that the resolution do lie on the table,

On which

Mr. Manly demanded the yeas and nays.

The demand was seconded, and the motion that the resolution do lie on the table did not prevail by yeas and nays, as follows:

YEAS.

Mr. Baker, S.,	Mr. Dunbar,	Mr. Manly,	Mr. Rounselle
Breen,	Engleman,	McGregor,	Snow,
Burr,	Harper,	McKie,	Stuart,
Cady,	Hosford,	Mulvey,	Vickary,
Crocker,	Kelley,	Oviatt,	Vroman,
Dakin,	Killean,	Rentz,	Washburn,
Dickson,	Lincoln,	Robinson, J. W.	Wellman, 28

NAYS.

Mr. Abbott,	Mr. Diekeman,	Mr. Lakey,	Mr. Rumsey,
Allen,	Dillon,	Makelim,	Simpson,
Anderson,	Dougherty,	McCormick,	Spencer,
Baldwin,	Douglass,	McMillan,	Thompson,
Bardwell,	Eldred,	Ogg,	Van Orthwick,
Bates,	Goodrich,	O'Keefe,	Watson, F. H.,
Baumgardner,	Grenell,	Pardee,	Watson, H.
Brock,	Herrington,	Perkins,	Watts,
Cannon,	Hill,	Pettit,	Webber,
Chapell,	Hoaglin,	Pierce,	Williams, T. H.,
Chapman,	Hoobler,	Robinson, R.,	Williams, W. W.
Cole,	Houk,	Rogers,	Wilson,
Damon,	Kirby,		50

The resolution as amended by the substitute was then adopted.

Also,

No. 675. Petition of Northville A. on the same subject.

Also,

No. 676. Petition of Devlin A. No. 3954 of Detroit, on the same subject.

Also,

No. 677. Petition of Powderly A. 7606 of Detroit, on the same subject.

Also,

No. 678. Petition of Robert Fulton A. No. 9263, Detroit, on the same subject.

Also,

No. 679. Petition of Unity A. 2745 of Detroit, on the same subject.

Also,

No. 680. Petition of Upholsterers' A. 6889 of Detroit, on the same subject.

Also,

No. 681. Petition of citizens of Mancelona on the same subject.

The several petitions were referred to the committee on elections.

No. 682. By Mr. Grenell: Petition of George Washington L. A. 8775 K. of L., Detroit (400 members), relative to employment of aliens by corporations.

Referred to the committee on judiciary and labor interests jointly.

No. 683. By Mr. Dunbar: Resolutions of Board of supervisors of Monroe county asking the passage of House bill file No. 510.

On demand of Mr. Dunbar,

The resolutions were read at length and spread at large on the journal as follows:

To the Honorable, the House of Representatives of the State of Michigan;

We, the undersigned board of supervisors for Monroe county, respectfully pray your honorable body to consider, and pass, House bill No. 510, confirming to the people of this State the right to hunt, shoot, and fish with a hook and line, in the waters of the great lakes, bays and inlets. And as in duty bound, will ever pray.

Resolved, That we, the board of supervisors for Monroe county, now in session, do heartily concur in the foregoing petition, and request the passage of said bill.

L. B. MILLER, <i>Chairman,</i>	GEO. CROW,
S. J. ROBERT,	N. C. HOWARD,
JOHN KEMMERLINEY,	D. D. VANORKER,
H. A. WILKERSON,	JOHN L. HOWD,
J. R. ROGERS,	JOSIAH HALL,
M. J. HOWE,	ALEX. CAMPAU,
ELI BRANCHEAN,	HILERY LAMERAND.

Monroe, March 26, 1887.

The above resolution was passed by the board.

S. M. BARTLETT, Deputy Clerk.

Referred to the committee on fisheries.

No. 684. By Mr. Powers: Remonstrance of Patrick Fox, Samuel Strevel, Stephen Brown and 145 others, of the township of Greenwood, St. Clair county, against the passage of House file No. 167, bill No. 236, in reference to county bridge commissioner and county bridges.

Referred to the committee on roads and bridges.

No. 685. By Mr. Vrooman: Petition of K. S. Root and 40 others of Wayne county, for the passage of House bill, file 510..

Referred to the committee on fisheries.

No. 686. By Mr. Tindall: Petition of Lyman Cates, W. A. Arms and 80 others, asking for the right to catch fish.

Also,

No. 687. By Mr. McCormick: Petition of E. C. Reed, J. C. Lilly and 36 others, asking the right to hunt and fish.

Also,

No. 688. Petition of C. T. Wilson, F. Martz and 36 others, on the same subject.

Referred to the committee on fisheries.

No. 689. By Mr. J. W. Robinson: Resolutions of McBride K. of L. 5518, relative to employment of alien labor.

Referred to committees on judiciary and labor interests.

No. 690 and 691. By Mr. J. W. Robinson: Petitions relative to the employment of alien labor.

Referred to committees on judiciary and labor interests.

No. 692. By Mr. Bentley: Petition of O. P. Brush, Samuel Cross, William Mellin and others of Centreville, St. Joseph County, for the passage of House bill, file No. 183.

Referred to the committee on agriculture.

No. 693. By Mr. Oviatt: Remonstrance of James M. Verity, W. B. Pool, Wm. A. Luther and other citizens of Luther, Lake county, against the passage of Senate bill No. 25, entitled "An act to regulate the conditional sales of chattels."

Referred to the committee on judiciary.

No. 694. By Mr. W. W. Williams: Petition of K. L. Assembly No. 3262 for the passage of Senate bill No. 141.

Referred to committee on labor interests.

No. 695. By Mr. Henry Watson: Petition of Augustus Wilcox, John H. Jenson and 90 other citizens of Michigan and members of K. of L, to secure the passage of

Mr. Breen's bill relating to mine inspectors,

Mr. Dillon's bill relating to compulsory education,

Mr. Grenell's bill, House, file No. 166,

Mr. Hosford's bill, House, file No. 7,

Mr. Ogg's bill relating to convict contract labor,

Senator Bairden's bill relating to the Baker conspiracy law,

Mr. Washburn's bill, House, file No. 139.

Referred to the committee on labor interests.

Also,

No. 696. Petition of D. D. Clough and 54 others, citizens of Greenville, remonstrating against the passage of Senate bill No. 25 (file No. 17), and preferring that the law shall remain as it is.

Referred to the committee on ways and means.

No. 697. By Mr. S. Baker: Petition of Daniel Haisley and 40 others, urging the passage of House bill No. 510.

Referred to committee on fisheries.

No. 698. By Mr. Hunt: Petition of G. W. Parker, F. J. King, A. B. Waterman and 17 others, relative to protecting the owners or keepers of stallions.

Referred to the committee on agriculture.

No. 699. By Mr. McMillan: Petition of F. C. Stegman, G. Hesler, C. Richardson and 50 others, favoring the passage of House bill No. 698.

Referred to the committee on judiciary.

No. 700. By Mr. Dakin: Petition for the passage of the bill to prevent payment for labor in scrip or store orders.

On demand of Mr. Dakin,

The petition was read at length and spread at large on the journal as follows:

We, the undersigned workingmen of the city of Saginaw, recognizing the many evils and injustices of the store order system, and believing that the mill and factory employes should receive payment for their services in the lawful money of the United States, earnestly request the passage of the bill introduced by Representative Ogg prohibiting the use of scrip or store orders in the payment of wages in shops and factories.

Referred to the committee on labor interests.

No. 701. By Mr. Grenell: Petition of carpenters and joiners of Hastings for a working day of nine hours.

Also,

No. 702. Petition of L. A. No. 2745 K. of L., of Detroit, for the passage of Senate bill No. 141, relative to the duties of employers of labor;

Also,

No. 703. Petition of John Devlin L. A. No. 3954 K. of L., of Detroit, relative to same subject;

Also,

No. 704. Petition of the citizens of Ludington, relative to same subject.

The several petitions were referred to the committee on labor interests.

No. 705. By Mr. Watts: Remonstrance of Burton N. Bennett and nine other business men of Springport against the passage of the bill relating to the conditional sale of chattels.

Referred to the committee on judiciary.

No. 706. By Mr. Holt: Petition of John Bronson, Adolph Arndt, J. B. Wallace and 40 other citizens of Muskegon in regard to fishing in the lakes, waters, inlets and bays of this State.

Referred to committee on fisheries.

No. 707. By Mr. Allen: Remonstrance N. H. Johnson and others against the passage of House bill No. 44, file No. 76, in regard to the sale of personal property by contract.

Referred to committee judiciary.

No. 708. By Mr. Linton: Petition of B. B. Buckhout, Jacob Seligman, Timothy E. Tarsney, and numerous others for the passage of House bill No. 510.

On demand of Mr. Linton,

The petition was read at length, and spread at large on the journal, as follows:

To the Honorable, the Senate and House of Representatives of the State of Michigan:

We, the undersigned citizens of Saginaw county, respectfully pray your honorable body to consider, and pass, House bill No. 510, confirming to the people of this State the right to hunt, shoot, and fish with hook and line, in the waters of the great lakes, bays and inlets. And as in duty bound, will ever pray.

Referred to the committee on fisheries.

No. 709. By Mr. Ogg: Petition of Bookbinders' Assembly, K. of L., of Detroit, asking for the passage of Ogg's convict labor bill;

Also,

No. 710. Petition of McBride Assembly, K. of L., on same subject;

Also,

No. 771. Petition of Assembly No. 2745, K. of L., on same subject;

Also,

No. 712. Petition of Northville Assembly, K. of L., on same subject;

Also,

No. 713. Petition of Assembly No. 6889, K. of L., of Detroit, on same subject.

Also:

No. 714. Petition of Local Assembly No. 7635, K. of L., of Grand Ledge, on same subject.

Also,

No. 715. Petition of Robert Fulton Assembly K. of L. of Detroit, on same subject.

The several petitions were referred to the committee on labor interests.

REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

House bill No. 104 (file No. 115), entitled

A bill to provide for laying out and establishing a State road in Bay county, to be known as the Williams and Garfield State road extension,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and asked to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

House bill No. 766, entitled

A bill to provide for the construction of sidewalks in townships outside of villages and cities across drains, ditches, and natural water-courses,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman*.

Report accepted and committee discharged.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges to whom was referred

House bill No. 404 (file No. 193), entitled

A bill to amend section 10 of chapter 11 of act No. 243 of the public acts of 1881, entitled, "An act to revise and consolidate the laws relating to the

establishing, opening, improvement and maintenance of highways and private roads, and the building, repairing and preservation of bridges within this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McCormick,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

House bill No. 334, entitled

A bill to amend an act relative to free schools in the city of Detroit, approved February 24, 1869, and all acts amendatory thereof, by adding a section thereto to stand as section 24,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. W. Williams,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

House bill No. 297, entitled

A bill to authorize and regulate the purchase of text books and supplies by school boards, for use in public schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dillon,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

Senate bill No. 65 (File No. 57), entitled

A bill to amend Sec. 11 of chapter 4, act No. 164, laws of 1881, relating to the duties of township clerks in apportioning school moneys,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on elections:

The committee on elections to whom was referred

Senate bill No. 147 (file No. 173), entitled

A bill to amend section 503 of the compiled laws of 1871, being section 511 of Howell's Statutes as amended by act No. 134 of the session laws of 1883, being an act relative to the election of county auditors for the county of Wayne,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ALVAH D. ELDRED, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

Senate bill No. 279, entitled

A bill to amend act No. 405 of the local acts of 1879, entitled "An act to re-incorporate the village of Sault Ste. Marie," by adding six new sections to stand as sections 6, 7, 8, 9, 10 and 11,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Houk,	Mr. Rentz,
Allen,	Damon,	Hunt,	Robinson, J. W.,
Baker, S.	Dickson,	Jones,	Robinson, R.,
Baldwin,	Diekema,	Killean,	Rumsey,
Bardwell,	Dougherty,	Lakey,	Snow,
Bates,	Douglass,	Makelim,	Spencer,
Baumgardner,	Dunbar,	Manly,	Stuart,
Beecher,	Eldred,	McCormick,	Tindall,
Bettinger,	Goodrich,	McGregor,	VanOrthwick,

Mr. Bentley,	Mr. Green,	Mr. McKie,	Mr. Vickary,
Breen,	Grenell,	McMillan,	Vroman,
Brock,	Haskin,	Mulvey,	Washburn,
Burr,	Herrington,	Ogg,	Watson, F. H.
Cady,	Hill,	O'Keefe,	Watson, H.
Cannon,	Hoaglin,	Oviatt,	Watts,
Case,	Holt,	Perkins,	Wellman,
Chapell,	Hoobler,	Powers,	Williams, T.H.
Chapman,	Hosford,	Preston,	Speaker,
Cole,			

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NAYS.

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Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on ways and means:

The committee on ways and means to whom was referred

House bill No. 5 (file No. 152), entitled

A bill to provide for the purchase of land and the erection of buildings for the use and benefit of the Eastern Michigan Asylum, and to make payment for the same out of the surplus moneys in the hands of the treasurer of said asylum,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 308, entitled

A bill to authorize the purchase of additional land for the use and benefit of the Michigan Asylum for the Insane at Kalamazoo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the purchase of land and the erection of buildings for the use and benefit of the Michigan Asylum for the Insane at Kalamazoo, and to make payment for the same out of the surplus moneys in the hands of the treasurer of said asylum,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 732, entitled

A bill to lay out and establish a State road along or near the principal base line of Bois Blanc Island in the county of Mackinac, from the eastern to the western terminus of said line, and appropriating swamp lands upon said island for the construction thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The bill was laid on the table.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 417, entitled

A bill to authorize and empower the board of control of State swamp lands to construct a ditch through the townships of Hebron and Mackinaw, in Cheboygan county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 17, entitled

A bill to lower rates of interest in this State to amend act No. 1594, chapter 36, title 11 of Howell's statutes of 1882,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled,

A bill to amend compiler's section 1594 of chapter 36 of Howell's annotated statutes of Michigan, with reference to the interest on money,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. Chapman,

The House concurred in the adoption of the substitute reported by committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

Senate bill No. 248 (file No. 128), entitled

A bill to legalize the proceedings had in laying out, cleaning out, clearing, deepening and completing a certain ditch or drain in the township of Byron, in the county of Kent, known and designated as "The Buck Creek drain," and to legalize the tax therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 88 (file No. 65), entitled

A bill to amend section 16 of chapter 9 of compiled laws of 1881, as amended, being section 452 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Damon,

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 281, entitled

A bill to amend section 16 of chapter 9 of compiled laws of 1871, as amended, being section 452 of Howell's annotated statutes relative to jails,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it be tabled, and ask to be discharged from the further consideration of the subject, for the reason that a similar bill from the Senate has been considered by the committee.

A. R. CHAPMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Chapman,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 749, entitled

A bill to authorize Edwin A. Bullard to build and maintain a dam across Cass river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 183, entitled

A bill to amend section 1 of an act to establish a State agency for the care of juvenile offenders, approved April 29, 1873, as amended, being section 9894 of Howell's annotated statutes, relative to the salaries of State agents for the care of juvenile offenders,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House without amendment and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs to whom was referred

House bill No. 392, entitled

A bill to repeal act No. 132 of the session laws of 1885, being an act to amend section 9651 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 165, entitled

A bill to provide for registers of deeds making certain reports to the bureau of statistics of labor, and for publishing the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 228, entitled

A bill to amend sections 16 and 18 of chapter 266 of the compiled laws of

1871, being sections 9649 and 9651 of Howell's annotated statutes, as amended by act 224 of the session laws of 1885, relative to county jails,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 172, entitled

A bill to prevent certain individuals, companies or associations from using the word "bank" upon signs or other printed matter, and to provide penalties therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Watts,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 779 (file No. 185), entitled

An act to authorize the Imlay City agricultural and horticultural society to sell or mortgage its real estate for the purpose of paying its indebtedness,

Also,

House bill No. 861 (file No. 189), entitled

An act to authorize the Central Michigan Agricultural Society to sell and convey its real estate, and to provide what proceedings shall be necessary therefor,

Also,

House bill No. 532 (file No. 157), entitled

An act to amend section 11 of act No. 113 of the laws of 1869, entitled "An act to authorize the formation of companies for the introduction of water into towns, cities and villages in the State of Michigan," being section 3120 of Howell's annotated statutes of Michigan,

Also,

House bill No. 621 (file No. 199), entitled

An act to amend section 35 of an act entitled "An act to provide for the incorporation of villages," being act No. 168 of the session laws of 1857, the same being compiler's section 3333 of the compiled laws of 1871, and section 3017 of Howell's annotated statutes, relative to duplicate tax rolls in villages,

Also,

House bill No. 370 (file No 195), entitled

An act to amend section number 1 of chapter number 6 of an act entitled, "An act to revise and consolidate the laws relating to public instruction and

primary schools, and to repeal all statutes and acts contravening the provisions of this act," being act number 164 of the public acts of 1881, being section 5103 of Howell's annotated statutes,

Also,

House bill No. 677 (file No. 177), entitled

An act to amend section 5 of an act entitled "An act to regulate and provide for the carrying, yarding and feeding of so-called Texas cattle while in transit into or across this State between the first day of April and the first day of November of each year," approved June 16, 1885.

Also,

House bill No. 632 (manuscript), entitled

An act to revise and amend act No. 53 of the session laws of 1859, entitled "An act to incorporate the city of Battle Creek," approved Feb. 3, 1859, as revised and amended by the several acts revisionary and amendatory thereof, and to repeal all acts or parts of acts inconsistent herewith.

ROBERT Y. OGG, *Chairman*.

Report accepted.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 87, entitled

A bill defining the duties and regulating the compensation of the official stenographer of the fourteenth judicial circuit of the State of Michigan in the matter of filing transcripts of court proceedings in the circuit courts thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 415, entitled

A bill to provide for the appointment, fix the compensation and prescribe the duties of the stenographer of the circuit courts for the counties of Allegan and Ottawa, now comprising the 20th judicial circuit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 596, entitled

A bill providing for the employment, defining the duties and fixing the compensation of a stenographer for the thirteenth judicial circuit, State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 161, entitled

A bill to provide for the employment, define the duties and fix the compensation of a stenographer of the second judicial circuit, State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 156, entitled

A bill to provide compensation for a stenographer for the fifth judicial district of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

House bill No. 482, entitled

A bill to amend act No. 317 of session laws of 1888 being "An act to organize a public library in West Bay City, by adding a new section thereto numbered section nine, for the purpose of providing a fund for the enlargement and improvement of said public library,"

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. W. Williams,

The House concurred in the amendments made to the bill by the committee.

The bill then was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on supplies and expenditures:

The committee on supplies and expenditures, to whom was referred the following resolution, to-wit:

Resolved, That the committee on supplies and expenditures be and are hereby instructed to purchase a set of postal scales for use in the document room of the House,

Beg leave to report that a set was found in the office of Board of State Auditors, already the property of the State, and that the same has been secured and placed in the document room.

Respectfully submitted,

JOHN A. DAMON, *Chairman*.

Report accepted and committee discharged.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, April 8, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State

[House bill No. 779, (file No. 185) being]

An act to authorize the Imlay City Agricultural and Horticultural Society to sell or mortgage its real estate for the purpose of paying its indebtedness,

Also,

House bill No. 861 (file No. 189), being]

An act to authorize the Central Michigan Agricultural Society to sell and convey its real estate and to provide what proceedings shall be necessary therefor,

Also,

[House bill No. 532 (file No. 157), being]

An act to amend section 11, of act number 113 of the laws of 1869, entitled "An act to authorize the formation of companies for the introduction of water into towns, cities, and villages in the State of Michigan," being section 3120 of Howell's annotated statutes of Michigan,

Also,

[House bill No. 621 (file No. 199) being]

An act to amend section 35 of an act entitled, An act to provide for the incorporation of villages, being act No. 168 of the session laws of 1857, the same being compiler's section 3333 of the compiled laws of 1871, and section 3017 of Howell's annotated statutes, relative to duplicate tax rolls in villages,

Also,

[House bill No. 370 (file No. 195), being]

An act to amend section No. 1 of chapter No. 6, of an act entitled "An act to revise and consolidate the laws relating to public instruction and primary schools; and to repeal all statutes and acts contravening the provisions of this

act," being act No. 164 of the public acts of 1881, being section 4103 of Howell's annotated statutes,

Also,

[House bill No. 677 file No. 177, being]

An act to amend section 5 of an act entitled, "An act to regulate and provide for the carrying, yarding and feeding of so-called Texas cattle while in transit into or across this State between the first day of April and the first day of November of each year," approved June 16, 1885,

C. G. LUCE, *Governor*.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 8, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

Be it resolved by the Senate (the House concurring), that the secretary of State be authorized to prepare and present to each minister of the gospel who has officiated in conducting religious services in either House, a copy of the manual, with name inscribed with gilt letters,

Which has been adopted by the Senate and in which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The question being on concurring in the adoption of the resolution,
The resolution was then adopted.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 7, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 335 (file No. 176), entitled

A bill to amend section 7980 of chapter 263 of the compiled laws of 1871, being section 9593 of Howell's annotated statutes, relative to coroners' fees in cases of inquest,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

MOTIONS AND RESOLUTIONS.

Mr. Oviatt moved to take from the table,

House bill No. 134 (file No. 80) entitled

A bill to provide for the appointment, fix the compensation, and prescribe the duties of the stenographer of the circuit court for the counties of Manistee, Lake, Osceola and Mason, now composing the 19th judicial circuit,

Which motion prevailed.

On motion of Mr. Oviatt,

The bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Oviatt moved to amend the bill by adding at the end of section 4 the words, " Provided that in case a criminal case is taken to the Supreme Court and the prosecuting attorney desires a transcript of the stenographic notes of said case, the stenographer shall furnish the same free of cost,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS

Mr. Abbott,	Mr. Dillon,	Mr. Kelley,	Mr. Preston,
Allen,	Dougherty,	Killean,	Robinson, R.,
Baldwin,	Douglass,	Lakey,	Rogers,
Bardwell,	Dunbar,	Linton,	Rounsaville,
Bates,	Eldred,	Makelim,	Rumsey,
Baumgardner,	Engleman,	Manly,	Spencer.
Beecher,	Goodrich,	McCormick,	Stuart,
Bettinger,	Green,	McGregor,	Thompson,
Bentley,	Greenell,	McKie,	Tindall,
Breen,	Harper,	McMillan,	VanOrtheastwick,
Brock,	Haskin,	Mulvey,	Vickary,
Burr,	Herrington,	Ogg,	Vroman,
Cady,	Hill,	O'Keefe,	Washburn,
Cannon,	Hoaglin,	Oviatt,	Watts,
Chappell,	Holt,	Pardee,	Wellman,
Chapman,	Hoobler,	Perkins,	Williams, T.H.,
Cole,	Hosford,	Pettit,	Williams, W.W
Crocker,	Houk,	Powers,	Wilson,
Damon,	Kallender,		74

NAYS.

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Title agreed to

On motion of Mr. Oviatt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Holt moved to take from the table

House bill No. 439 (file No. 255), entitled

A bill to provide a general law under which corporations may be formed to carry on printing, publishing and book-making, and any or either of them,

Which motion prevailed.

On motion of Mr. Holt,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole	Mr. Kallander,	Mr. Robinson, R.,
Allen,	Damon,	Kelley,	Rogers,
Baldwin,	Dickson,	Killean,	Rounsville,
Bardwell,	Dillon,	Lakey,	Rumsey,
Bates,	Dougherty,	Linton,	Spencer,
Baumgardner,	Dunbar,	Makelim,	Stuart,
Beecher,	Eldred,	McCormick,	Thompson,
Bettinger,	Goodrich,	McGregor,	Tindall,
Bentley,	Green,	McKie,	VanOrthwick,
Breen,	Grenell,	McMillan,	Vickary,
Brock,	Harper,	Mulvey,	Vroman,
Burr,	Haskin,	Ogg,	Washburn,
Cannon,	Herrington,	Pettit,	Watson, F. H.,
Case,	Hoaglin,	Powers,	Wellman,
Chapell,	Holt,	Preston,	Williams, W. W.
Chapman,	Houk,	Robinson, J. W.	Speaker, 64

NAYS.

Mr. Cady,	Mr. Hosford,	Watson, H.,	3
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Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Bettinger moved to take from the table

House bill No. 251 (file No. 98), entitled

A bill to amend section 22 of chapter 7 of act No. 326 of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883,

Which motion prevailed.

On motion of Mr. Bettinger,

The bill put upon its immediate passage,

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Douglass,	Mr. Killean,	Mr. Robinson, J. W.
Allen,	Dunbar,	Lakey,	Robinson, R.
Bates,	Eldred,	Linton,	Rogers,
Baumgardner,	Goodrich,	Makelim,	Rounsville,
Beecher,	Green,	Manly,	Rumsey,
Bettinger,	Grenell,	McCormick,	Snow,
Breen,	Harper,	McGregor,	Spencer,
Brock,	Haskin,	McKie,	Thompson,
Burr,	Herrington,	McMillan,	Tindall,
Cady,	Hill,	Mulvey,	VanOrthwick,
Cannon,	Hoaglin,	Ogg,	Vickary,

Mr. Case,	Mr. Holt,	Mr. O'Keefe,	Mr. Washburn,
Chapman,	Hoobler,	Oviatt,	Watson, F. H.
Crocker,	Hosford,	Pardee,	Watson, H.,
Damon,	Houk,	Pettit,	Watts,
Dickson,	Hunt,	Powers,	Williams, T. H.
Diekema,	Kallander,	Preston,	Speaker. 71
Dougherty,	Kelley,	Rentz,	

NAYS.

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Title agreed to.

On motion of Mr. Bettinger,

By a vote of two-thirds of all the members elect, the bill was ordered to take effect July 1, 1887.

Mr. Herrington moved to take from the table

House bill No. 155 (file No. 88), entitled

A bill to provide for the appointment, compensation and duties of a stenographer of the sixth judicial circuit,

Which motion prevailed.

On motion of Mr. Herrington,

The bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Herrington moved to amend the bill by striking out in lines 4 and 5, section 9, the words "upon the payment of the salary of said stenographer hereinbefore provided," and inserting in lieu thereof the words "to the credit of the general expense fund,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Hunt,	Mr. Robinson, J. W.
Allen,	Dickson,	Kallander,	Robinson, R.,
Anderson,	Diekema,	Kelley,	Rogers,
Baker, S.,	Dillon,	Killean,	Rounsville,
Baldwin,	Dougherty,	Lahey,	Rumsey,
Bardwell,	Douglass,	Makelim,	Snow,
Bates,	Dunbar,	Manly,	Spencer,
Baumgardner,	Eldred,	McCormick,	Tindall,
Beecher,	Engleman,	McGregor,	VanOrthwick,
Bentley,	Goodrich,	McKie,	Vickary,
Breen,	Grenell,	McMillan,	Vroman,
Brock,	Harper,	Mulvey,	Washburn,
Burr,	Haskin,	O'Keefe,	Watson, F. H.
Cady,	Herrington,	Oviatt,	Watson, H.,
Cannon,	Hoaglin,	Pardee,	Watts,
Case,	Holt,	Pettit,	Wellman,
Chapman,	Hoobler,	Powers,	Williams, W. W.
Cole,	Hosford,	Preston,	Wilson,
Crocker,	Houk,	Rentz,	Speaker,
Cross,			

77

NAYS.

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Title agreed to.

On motion of Mr. Herrington,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Houk moved to take from the table,

House joint resolution No. 5 entitled

Joint resolution proposing an amendment to sections 3, 6, 7, 8, 9, 10 and 11 of article 10 of the Constitution of the State of Michigan relative to boards of supervisors.

Which motion prevailed.

On motion of Mr. Houk,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. T. H. Williams moved to take from the table

House bill No. 915, entitled

A bill to provide for the organization, arming and duties of independent militia companies, and for commissioning the officers thereof,

Which motion prevailed.

On motion of Mr. F. H. Williams,

The bill was referred to the committee on military affairs.

Mo. McCormick moved to take from the table

House bill No. 72, entitled

A bill to amend section 1288, Howell's annotated statutes of Michigan, relative to specific taxes,

Which motion prevailed.

On motion of Mr. McCormick,

The bill was referred to the committee on ways and means.

Mr. F. H. Watson moved to take from the table

House bill No. 701, entitled

A bill to provide for the licensing of stationary engineers and to provide for the office of boiler inspector of the State of Michigan,

Which motion prevailed.

On motion of Mr. F. H. Watson,

The bill was referred to the committee on judiciary.

Mr. Wilson moved to take from the table,

House bill No. 165, entitled

A bill to provide for registers of deeds making certain reports to the bureau of statistics of labor, and for publishing the same,

Which motion prevailed.

On motion of Mr. Wilson,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Haskin moved to take from the table,

House bill No. 475 (file No. 218), entitled

A bill requiring all patent rights or patent deeds to be registered in each county in the State before offering the same for sale therein,

Which motion prevailed.

On motion of Mr. Haskin,

The bill was referred to the committee on municipal corporations.

Mr. Preston moved to discharge the committee on fisheries from the further consideration of

House bill No. 864, entitled

A bill for the protection of fish in lakes and streams in Ingham county,
Which motion prevailed.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 864, entitled

A bill for the protection of fish in lakes and streams in Ingham county,

Respectfully report the same back to the House in accordance with instructions.

E. Z. PERKINS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Preston,

The bill was laid on the table.

On motion of Mr. Lakey,

Leave of absence was granted to himself until Wednesday next.

On motion of Mr. Chapman,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock, P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

MOTIONS AND RESOLUTIONS.

Mr. Kelly moved to take from the table

House bill No. 815, entitled

A bill to incorporate the village of Hadley, in Lapeer county,
Which motion prevailed.

On motion of Mr. Kelley,

The bill was referred to the committee on municipal corporations.

Mr. Dickson offered the following:

Resolved, That from and after to-day the daily sessions of this House commence at nine o'clock A. M., and continue until the close of the present session.

On motion of Mr. Cannon,

The resolution was laid on the table.

UNFINISHED BUSINESS.

Being the consideration of Senate amendment to

House bill No. 461 (file No. 151), entitled

A bill to amend section 3970 of Howell's annotated statutes of Michigan relative to liquidation of shares of cooperative savings associations,

Which had been reported as follows:

Amend section 1 of the bill so as to read as follows:

SECTION 1. *The People of the State of Michigan enact*, That section 10 of act No. 206 of the session laws of 1877, entitled "An act to authorize the incorporation of co-operative associations," approved May 26, 1877, being compiler's section No. 3970 of Howell's annotated statutes, be and the same is hereby amended so as to read as follows:

And further, that the Senate amended the title to the bill so as to read as follows:

A bill to amend section 10 of act No. 206 of the session laws of 1877, entitled "An act to authorize the incorporation of co-operative savings associations," approved May 26, 1877, being compiler's section No. 3970 of Howell's annotated statutes.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Holt,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dougherty,	Mr. Makelim,	Mr. Stuart,
Baldwin,	Dunbar,	Manly,	Thompson,
Bardwell,	Eldred,	McGregor,	Tindall,
Beecher,	Engleman,	McKie,	VanOrthwick,
Bentley,	Goodrich,	Ogg,	Vickary,
Breen,	Grenell,	Perkins,	Vroman,
Burr,	Haskin,	Pettit,	Washburn,
Cady,	Herrington,	Pierce,	Watson, F.H.,
Cannon,	Hill,	Preston,	Watson, H.
Chapman,	Houk,	Robinson, J. W.	Watts,
Cole,	Jones,	Robinson, R.,	Webber,
Damon,	Kallander,	Rounsville,	Wellman,
Dickson,	Killean,	Rumsey,	Williams, W. W.
Diekema,	Kirby,	Simpson,	Wilson,
Dillon,	Lakey,	Spencer,	Speaker, 60

NAYS.

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The hour having arrived for the

SPECIAL ORDER,

On motion of Mr. Herrington,

The House went into committee of the whole, on the special order,

With the Speaker in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 469 (file No. 293), entitled

A bill to amend sections 9 and 10 of chapter 170 of the compiled laws of Michigan of 1871, being compiler's sections 6231 and 6232 of Howell's annotated statutes of Michigan, relative to divorce, and to add three new sections to said chapter to stand as sections 44, 45 and 46,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

D. P. MARKEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Herrington,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Herrington,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Kirby,	Mr. Robinson, R.,
Allen,	Diekema,	Lakey,	Rogers,
Anderson,	Dillon,	Lincoln,	Rounsville,
Baker, S.	Dougherty,	Linton,	Rumsey,
Baldwin,	Douglass,	Makelim,	Simpson,
Bardwell,	Dunbar,	Manly,	Snow,
Bates,	Eldred,	McCormick,	Spencer,
Baumgardner,	Engleman,	McGregor,	Stuart,
Beecher,	Goodrich,	McKie,	Thompson,
Bettinger,	Grenell,	McMillan,	Tindall,
Bentley,	Harper,	Mulvey,	VanOrtheast,
Breen,	Haskin,	Ogg,	Vickary,
Brock,	Herrington,	O'Keefe,	Vroman,
Burr,	Hill,	Oviatt,	Washbur,
Cady,	Hoaglin,	Pardee,	Watson, F. H.
Cannon,	Holt,	Perkins,	Watson, H.,
Case,	Hosford,	Pettit,	Watts,
Chappell,	Houk,	Pierce,	Webber,
Chapman,	Hunt,	Powers,	Wellman,
Cole,	Jones,	Preston,	Williams, W. W.
Crocker,	Kelley,	Rentz,	Wilson,
Dakin,	Killean,	Robinson, J. W.	Speaker,
Damon,			

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NAYS.

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Title agreed to.

Mr. Oviatt moved to take from the table,

House bill No. 10 (file No. 57), entitled

A bill to provide for the penalty of death in certain cases of murder and rape,

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, two-thirds of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Engleman,	Mr. Lincoln,	Mr. Preston,
Allen,	Goodrich,	Linton,	Robinson, R.,
Anderson,	Harper,	Makelim,	Rogers,
Baker, S.,	Haskin,	Manly,	Thompson,
Bates,	Herrington,	McGregor,	Tindall,

Mr. Cady,	Mr. Hill,	Mr. McMillan,	Mr. Van Orthwick,
Cannon,	Hoaglin,	Mulvey,	Vickary,
Case,	Holt,	O'Keefe,	Vroman,
Chapell,	Houk,	Oviatt,	Washburn,
Cole,	Jones,	Pardee,	Watson, II.,
Cross,	Kallander,	Perkins,	Watts.
Damon,	Kelley,	Pierce,	Williams, T. H.
Diekema,	Kirby,	Powers,	Speaker,
Eldred,	Lakey,		

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NAYS.

Mr. Baldwin,	Mr. Dickson,	Mr. Killean,	Mr. Simpson,
Bardwell,	Dillon,	McCormick,	Snow,
Baumgardner,	Dougherty,	McKie,	Spencer,
Beecher,	Douglass,	Ogg,	Stuart,
Bettinger,	Dunbar,	Pettit,	Watson, F. H.,
Bentley,	Grenell,	Rentz,	Webber,
Breen,	Hoobler,	Robinson, J. W	Wellman,
Brock,	Hosford,	Rounsville,	Williams, W. W
Chapman,	Hunt,	Rumsey,	Wilson,
Crocker,			

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The question being on agreeing to the title,
Mr. Oviatt moved to amend the title by striking out the words "and rape,"

Which motion prevailed.

The title as amended was then agreed to.

Mr. Cannon moved to take from the table

House bill No. 70 (file No. 119), entitled "

A bill authorizing the board of trustees of the Northern Michigan asylum for the insane to purchase certain lands for the use and benefit of said asylum, and making an appropriation for the payment thereof,

Which motion did not prevail.

Mr. Damon moved to take from the table

House joint resolution No. 4 (file No. 4), entitled

Joint resolution proposing an amendment to section 1, article 7, of the constitution of this State relative to the qualifications of electors,

Which motion prevailed.

The joint resolution having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Damon moved to amend the joint resolution by inserting in line 8, section 1, after the word "years" the words "and no foreigner or citizen of any other State, above the age of twenty-one years, who shall hereafter become a citizen of this State,"

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Damon moved to amend the joint resolution by striking out in line 24, section 1, the word "spring," and inserting the word "general" in lieu thereof.

Also, by inserting in same line, before the word "first" the words "Tuesday after the first Monday."

Also, by striking out in same line the word "April," and inserting the word "November," in lieu thereof,

Also, by striking out in line 25, the word "seven," and inserting the word "eight" in lieu thereof,

Also, by striking out in line 27 the words "justices of the supreme court and regents of the University," and inserting in lieu thereof the words "Governor and Lieutenant Governor,"

Also, by striking out in lines 34 and 35 the words "justices of the supreme court and regents of the University," and inserting the words "Governor and Lieutenant Governor" in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

The joint resolution was then not passed, two-thirds of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Mr. Allen,	Mr. Chapman,	Mr. Kirby,	Mr. Rounsville,
Anderson,	Cole,	Lakey,	Rumsey,
Baker, S.,	Cross,	Lincoln,	Spencer,
Baldwin,	Damon,	Makelim,	Thompson,
Bardwell,	Dickson,	McCormick,	Tindall,
Bates,	Dougherty,	O'Keefe,	Van Orthwick,
Baumgardner,	Grenell,	Oviatt,	Watson F. H.
Beecher,	Haskin,	Perkins,	Watson, H.,
Brock,	Hill,	Pettit,	Watts,
Cady,	Hoobler,	Pierce,	Williams, T. H.
Cannon,	Jones,	Preston,	Williams, W. W.
Case,	Kelley,	Rogers,	Wilson,
Chapell,	Killean,		50

NAYS.

Mr. Abbott,	Mr. Dunbar,	Mr. Manly,	Mr. Simpson,
Bettinger	Engleman,	McKie,	Snow,
Bentley,	Goodrich.	McMillan,	Stuart,
Breen,	Harper,	Mulvey,	Vickary,
Burr,	Hoaglin,	Pardee,	Vroman,
Crocker,	Hosford,	Rentz,	Washburn,
Diekema,	Houk,	Robinson, J. W.	Webber,
Dillon,	Hunt,	Robinson, R.,	Wellman,
Douglass,	Kallander,		34

GENERAL ORDER.

On motion of Mr. Hoaglin,

The House went into the committee of the whole on the general order,

Whereupon the Speaker called Mr. W. W. Williams to the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following bills:

House bill No. 215 (file No. 215), entitled

A bill making appropriations for the current expenses of the State Normal school for the years 1887 and 1888,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following bill.

House bill No. 27 (file No. 217), entitled

A bill relative to the confinement of convicted persons in the Detroit House of Correction,

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

The first named bill was placed on the order of third reading.

On motion of Mr. Grenell,

The House concurred in the amendments made by the committee to the second named bill, and it was placed on the order of third reading.

On motion of Mr. Beecher,

The rules were suspended, two-thirds of all the members present voting therefor and

House bill No. 215, (file No. 215), entitled

A bill making appropriations for the current expenses of the State normal school for the years one thousand eight hundred and eighty-seven and one thousand eight hundred and eight-eight,

Was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dakin,	Mr. Hunt,	Mr. Rounsville,
Baker, S,	Damon,	Kallander,	Rumsey,
Baldwin,	Dickson,	Kelly,	Simpson,
Bardwell,	Dillon,	Killeen,	Snow,
Baumgardner,	Dougherty,	Linclon,	Spencer,
Beecher,	Douglass,	Makelim,	Stuart,
Bettinger,	Dunbar,	Manly,	Thompson,
Bentley,	Eldred,	McCormick,	Tindall,
Breen,	Goodrich,	McGregor,	VanOrthwick,
Brock,	Green,	McKie,	Vickary,
Burr,	Grenell,	Ogg,	Vroman,
Cady,	Harper,	Perkins,	Washburn,
Cannon,	Haskin,	Pettit,	Watson, F. H.
Case,	Hill,	Pierce,	Watson, H.
Chapell,	Hoaglin,	Powers,	Watts,
Chapman,	Hoobler,	Preston,	Williams, W. W.
Cole,	Hosford,	Rentz,	Wlison,
Crocker,	Houk,	Robinson, J. W.	71

NAYS.

Mr. Pardee,

Title agreed to.

On motion of Mr. Beecher,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

On motion of Mr. McGregor,
Leave of absence was granted to himself until Thursday next.
On motion of Mr. Cady,
Leave of absence was granted to himself for to-morrow.
On motion of Mr. Rentz,
Leave of absence was granted to himself for to-morrow.
On motion of Mr. J. W. Robinson,
Leave of absence was granted to himself until Monday afternoon.
On motion of Mr. Linton,
Leave of absence was granted to himself until Monday afternoon.
Mr. Webber moved that when the House adjourn to-day it stand adjourned
until Monday next at 10 o'clock A. M.,
Which motion did not prevail.
On motion of Mr. Chapman,
The House adjourned.

Lansing, Saturday, April 9, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Beale.

Roll called: quorum present.

Absent without leave: Messrs. Ashton, Chamberlain, Dakin, Holt, Hosford, O'Keefe, and Vroman.

On motion of Mr. Maklin,

Leave of absence was granted to Mr. O'Keefe for the day,

On motion of Mr. Stewart,

Leave of absence was granted to Mr. Vroman until Tuesday next.

On motion of Mr. Cannon,

Leave of absence was granted to Mr. Holt until Tuesday next.

On motion of Mr. Breen,

Leave of absence was granted to Mr. Douglass for the day.

On motion of Mr. Baumgardner,

Leave of absence was granted to Mr. Dakin until Tuesday next.

On motion of Mr. Perkins,

Leave of absence was granted to Mr. Chamberlain indefinitely on account of sickness.

On motion of Mr. Anderson,

Leave of absence was granted to Mr. Ashton for the day.

On motion of Mr. Ogg,

Leave of absence was granted to Mr. Hosford for the day.

Mr. Diekema offered the following:

Resolved by the House (the Senate concurring), that a special joint committee consisting of three of the House and two of the Senate be appointed to investigate the charges and rumors against the management of the State public school and against the character of the superintendent and others in charge, with full authority in the premises to hold sessions, at the school or elsewhere, at such times as shall best suit their convenience, to enforce the attendance of witnesses, administer oaths, taking in full the testimony with clerk and stenographer, as may to them seem desirable, and to perform every act of examination by means of the books and records of the institution, or otherwise, as to them shall seem necessary to a full understanding of the facts in the case, and report their doings to the Legislature at their earliest convenience.

Laid over one day under the rules.

PRESENTATION OF PETITIONS.

No. 716. By Mr. Washburn : Petition of Thomas Payne assembly No. 8086 of Detroit, asking for the passage of the Washburn liability bill,

Also ;

No. 717: Petition of Wm. M. Kee and Wm. H. Hatton and 33 others, same subject,

Referred to the committee on the judiciary.

No 718. By Mr. Haskin : Petition of Franklin assembly 3098, of Lapeer, asking for the passage of certain bills,

On demand of Mr. Haskin,

The petition was read at length and spread at large upon the journal, as follows:

Lapeer City, April 7, 1887.

We, as members of the order of Knights of Labor of Franklin Assembly No. 3098 in this city, do hereby petition your honorable body to secure the enactment into a law of all the following bills:

Breen bill—Forfeiting unearned land grants.

Breen bill—To provide for mine inspectors.

Dillon bill—To provide for compulsory education of children.

Grenell bill—Making general election days legal holidays.

Grenell bill—To preserve the purity of elections and to provide a secret ballot.

Grenell bill—Making nine hours a legal work-day for women and children.

Grenell bill—To prohibit the employment of aliens by corporations.

Holbrook bill—To protect workmen against wrongful requirements by employers.

Hosford bill—To carry into effect the provision of the constitution that no corporation shall hold land more than ten years.

Hosford bill—Preventing corporations from engaging in retail mercantile business.

Ogg bill—To abolish contract labor in State prisons.

Ogg bill—To prohibit the use of scrip or store orders in payment of wages.

Ogg bill—To prohibit non-resident aliens from holding land.

Ogg bill—To provide for the better protection of health safety and comfort of persons employed in shops and factories.

Rairden bill—To repeal the Baker conspiracy law.

Washburn bill—To make employers liable for injuries sustained by their employed by reason of uncovered or unsafe machinery or scaffolding.

JOHN L. SIMS, M. W.,
W. G. BURNS, R. S.

[Seal.]

Referred to the committee on labor interests.

No. 719. By Mr. Green: Petition of Essexville assembly, Knights of Labor, asking for the passage of a bill making 9 hours a days work.

Referred to the committee on labor interests.

No. 720. By Mr. Green: Petition of Essexville assembly, Knights of Labor, asking for the passage of Dillon's compulsory education bill,

Referred to the committee on education.

No. 721. By Mr. Green: Petition of Essexville assembly, Knights of Labor, asking for the passage of purity of election bill,

Referred to the committee on elections.

No. 722. By Mr. Dillon: Petition of Thomas Payne and assembly K. of L. No. 8086, asking for the passage of a bill to provide for the compulsory education of children.

Referred to the committee on education.

No. 723. By Mr. McKie: Petition of assembly No. 5843, K. of L., of New Buffalo, Michigan, asking for the passage of House bill, (file 166), to preserve the purity of elections.

On demand of Mr. McKie

The petition was read at length, and spread at large on the journal, as follows:

New Buffalo, Mich., April 7, 1887.

To the Honorable James L. McKie, Lansing, Mich.

WHEREAS, There is now pending before the legislature of the State of Michigan, a bill which we regard as of the utmost importance, namely; House (file No. 166), entitled "A bill to preserve the purity of elections and guard against the abuses of the elective franchise, and

WHEREAS, The whole structure of the government is based on the will of the majority, placing it in their power to abolish the wrong and establish the right, not by appealing to the bell-spring of anarchy or communism, nor by resorting to dynamite or mellenite, or any other destructive explosive—the only agency *they need*, in the correction of any and all abuses, is the still and silent but supreme operations of the ballot-box, indicating the will of the people. Yet in in order to realize the conception of the power of the ballot-box, it should be relieved at once from the depraved associations of the "workers" and "wire-pullers" and from all corrupt and intimidating influences, and to that end therefore

Be it resolved. That the assembly 5843 of the Knights of Labor of New Buffalo, Berrien county, respectfully request the honorable the Senate and House of Representatives of the State of Michigan to pass the aforesaid House file No. 166, now pending before them.

We do hereby certify that the above resolution was read and unanimously approved of at a regular meeting of local assembly No. 5843 of the [L. S.] Knights of Labor.

A. S. BOGERT, M. W.,
H. E. THURSTON, R. C.

Referred to the committee on elections.

No. 724. By Mr. Houk: Petition of C. Davis, L. L. Taylor, and 51

others asking for an appropriation for the building of an institution for the idiotic and feeble minded of this State.

Referred to the committee on State affairs.

No. 725. By Mr. Herrington : Petition of Orion Assembly K. of L. asking the passage of the Ogg bill, to provide for safety of employes.

Referred to the committee on labor interests.

Also,

No. 726. Petition of Orion Assembly K. of L. asking for the passage of the Grenell bill to prohibit the employment of aliens by corporations.

Referred to the committee on judiciary and labor jointly.

Also,

No. 427: Petition of Orion Assembly asking for the passage of Washburn bill relative to liability of employers.

Referred to the committee on judiciary.

Also,

No. 728: Petition of Orion Assembly K. of L. asking for the passage of Dillon's bill for compulsory education of children.

Referred to the committee on education.

No. 729. By Mr. Herrington : Petition of Wm. B. McCoy, I. W. Anglo and 48 others, K. of L. of Orion, asking for the passage of the Breen bill to provide for mine inspectors.

Referred to the committee on mines and minerals.

Also,

No. 730. Petition of Orion Assembly K. of L. asking the repeal of the Baker conspiracy law.

Referred to the committee on judiciary.

No. 731. By Mr. Herrington: Petition of Orion Assembly K. of L., asking for the passage of the Grenell bill making general election days legal holidays.

Referred to the committee on elections.

Also,

No. 732. Petition of Orion Assembly K. of L., asking for the passage of Mr. Ogg's bill to prohibit the payment of wages in scrip or store orders.

Referred to the committee on labor interests.

Also,

No. 733. Petition of W. H. Watson, Caleb Eldred, D. Young, J. H. Shaw, and 45 others, urging the passage of Mr. Ogg's bill to abolish convict labor in States prisons.

Referred to same committee.

Also:

No. 734. Petition of Orion assembly K. of L. asking the passage of Mr. Breen's bill to forfeit unearned land grants.

Referred to committee on public lands.

Also:

No. 735. Petition of Reuben Beeles, David H. Stett, and others urging the passage of Mr. Hosford's bill to prevent corporations from engaging in the mercantile business.

Referred to committee on private corporations.

Also:

No. 736. Petition of J. A. Neal, Arthur J. Seeley, and 48 others of Orion urging the passage of Mr. Hosford's bill to carry into effect the provisions of the constitution, relative to corporations holding land more than ten years.

Referred to committee on public lands.

Also,

No. 737. Petition of Orion Assembly, K. of L., urging the passage of Mr. Ogg's bill to prohibit non-resident aliens from holding land in this State.

Referred to committee on judiciary.

Also,

No. 738. Petition of Orion Assembly K. of L., urging the passage of Mr. Grenell's bill making 9 hours a legal work day for women and children,

Referred to the committee on labor interests.

Also,

No. 739. Petition of Orion Assembly K. of L., praying for the passage of Mr. Grenell's bill to preserve the purity of elections and to provide for a secret ballot,

Referred to the committee on elections.

Also,

No. 740. Petition of Orion Assembly K. of L., urging the passage of Mr. Holbrook's bill relative to the protection of employes,

Referred to committee on judiciary.

No's. 741, 742, 743, 744, 745, 746, 747. By Mr. Breen: Petitions of citizens of Stronach, Mich., asking for the passage of several bills, as follows:

Mr. Breen's bill forfeiting unearned land grants.

Mr. Breen's bill to provide for mine inspectors.

Mr. Dillon's bill to provide for compulsory education of children.

Mr. Grenell's bill making general election days legal holidays.

Mr. Grenell's bill to preserve the purity of elections and to provide a secret ballot.

Mr. Grenell's bill making nine hours a legal work day for women and children,

Mr. Grenell's bill to prohibit the employment of aliens by corporations.

Mr. Holbrook's bill to protect workmen against wrongful requirements by employers.

Mr. Hosford's bill to carry into effect the provision of the constitution that no corporation shall hold land more than ten years.

Mr. Hosford's bill preventing corporations from engaging in retail mercantile business.

Mr. Ogg's bill to abolish contract labor in State prisons.

Mr. Ogg's bill to prohibit the use of scrip or store orders in the payment of wages.

Mr. Ogg's bill to prohibit non-resident aliens from holding land.

Mr. Ogg's bill to provide for better protection of health, safety and comfort of persons employed in shops and factories.

Mr. Rairden's bill to repeal the Baker conspiracy law.

Mr. Washburn's bill to make employers liable for injuries sustained by their employees by reason of uncovered or unsafe machinery.

The several petitions were referred to the committee on labor interests.

No. 748. By Mr. Cole: Petition of Local Assembly No. 8089, K. of L. of Tecumseh, urging the passage of certain labor bills.

Referred to committee on labor interests.

No. 749. By Mr. Dillon: Petition of E. W. Smith and 49 others, asking for the passage of Dillon's compulsory education bill,

Referred to the committee on education.

REPORTS OF STANDING COMMITTEES.

By the committee on State prison:

The committee on State prison, to whom was referred

House bill No. 420, entitled,

A bill for the identification of convicts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. N. KELLEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State prison:

The committee on State prison, to whom was referred

House bill No. 213, entitled

A bill to provide for indeterminate sentences, also the management, disposition and release of convicts at Jackson State prison and Ionia House of Correction,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for indeterminate sentences, also the management, disposition and release of convicts in the prisons of Michigan under State control,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. N. KELLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grenell,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State prison:

The committee on State prison, to whom was referred

House bill No. 425, entitled

A bill to provide for the employment of prisoners in the State prison at Jackson and the House of Correction at Ionia; to establish their hours of labor, and to make an appropriation for the employment of prisoners, and to repeal all acts or parts of acts in contravention to this act.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the employment of convicts in the prisons of Michigan that are under State control; to establish their hours of labor, and to make an appropriation for the employment of convicts, and to repeal all acts in contravention to this act.

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. N. KELLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grenell,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed and referred to the committee of the whole on the general order.

By the committee on military affairs :

The committee on military affairs, to whom was referred

House bill No. 639, entitled

A bill to amend sections three and seven of act No. 37 of the public acts of 1883 entitled "An act to incorporate the Grand Army of the Republic, Department of Michigan, and subordinate posts of the Grand Army of the Republic," approved April 21, 1883,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

T. H. WILLIAMS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. T. H. Williams,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 353, entitled

A bill making an appropriation for the support of the Michigan School for the Blind for the years 1887 and 1888,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 99 (file No. 34), entitled

A bill making an appropriation for the Pioneer Society of the State of Michigan for the years 1887 and 1888.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

House bill No. 647, entitled

A bill to amend section 29 of chapter 78 of the compiled laws of 1871 relative to plank road companies, the same being section 3624 of Howell's annotated statutes.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McCormick,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

House bill No. 300, entitled

A bill to authorize the highway commissioners of the townships of Walker and Alpine in the county of Kent, to receive contributions in money or labor, to be expended under their direction in grading, graveling, and improving a certain road in said county, and to declare the said road forever a free road.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 611, entitled

A bill to amend section 4 of chapter 7 of section 227 of session laws of 1885, being an act to provide for the construction and maintenance of drains, and the collection of taxes therefor, and to repeal all other laws relating thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 597, entitled

A bill to amend section 4 of chapter 2, and section No. 21 of chapter 4 of act No. 227 of the public acts of 1885, being an act to provide for the construction and maintainance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 115 (file No. 76), entitled

A bill concerning the testimony of minors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 315, entitled

A bill to enlarge the powers of the township of Elk Rapids and the township board thereof.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommended that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dougherty,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Houk,	Mr. Preston,
Allen,	Crocker,	Hunt,	Robinson, R.,
Anderson,	Damon,	Kallender,	Rogers,
Baker, S.,	Dickson,	Killeen,	Rounsville,
Baldwin,	Dillon,	Kirby,	Simpson,
Bardwell,	Dougherty,	Lincoln,	Snow,
Bates,	Dunbar,	McCormick,	Spencer,
Baumgardner,	Eldred,	McKie,	Stuart,

Mr. Beecher,	Mr. Engleman,	Mr. McMillan,	Mr. Thompson,
Bettinger,	Goodrich,	Mulvey,	Van Orthwick,
Bentley,	Grenell,	Ogg,	Vickary,
Breen,	Harper,	Oviatt,	Washburn,
Brock,	Haskin,	Pardee,	Watts,
Burr,	Herrington,	Perkins,	Wellman,
Cannon,	Hill,	Petitt,	Williams, W.W.
Case,	Hoaglin,	Pierce,	Wilson,
Chapell,	Hoobler,	Powers,	Speaker,
Chapman,			69

NAYS.

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Title agreed to.

On motion of Mr. Dougherty,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 712, entitled

A bill to revise and amend the charter of the village of Fenton, Genesee county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to repeal sections 4, 5, 6, 7, and 8, of article 16, of act number 348 of the session laws of 1869, being an act entitled "An act to re-incorporate the village of Fenton, and to amend section 7 of article 6, section 3, of article 16, section 4 of article 17 and section 1 of article 26 of act number 348 of the session laws of 1869 being an act entitled 'An act to incorporate the village of Fenton, and sections 2 and 8 of article 6 of act number 348 of the session laws of 1869, being an act entitled 'An act to re-incorporate the village of Fenton, as amended by act number 362 of the local acts of 1879, being an act entitled "An act to amend section 2 of article 6, and to add a new section thereto to stand as section 8 of act number 348 of the session laws of 1869," approved March 26, 1869, [entitled 'An act to re-incorporate the village of Fenton, "'

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Beecher,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Beecher

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Houk,	Mr. Preston,
Allen,	Crocker,	Hunt,	Robinson, R.

Mr. Anderson,	Mr. Damon,	Mr. Jones,	Mr. Rogers,
Baker, S.,	Dickson,	Kallander,	Rumsey,
Baldwin,	Diekema,	Killean,	Simpson,
Bardwell,	Dillon,	Kirby,	Snow,
Bates,	Dougherty,	Lincoln,	Spencer,
Baumgardner,	Dunbar,	Makelim,	Thompson,
Beecher,	Eldred,	McCormick,	Tindall,
Bettinger,	Engleman,	McMillan,	Van Orthwick,
Bentley,	Goodrich,	Mulvey,	Vickary,
Breen,	Grenell,	Ogg,	Washburn,
Brock,	Harper,	Oviatt,	Watts,
Burr,	Haskin,	Pardee,	Webber,
Cannon,	Herrington,	Perkins,	Wellman,
Case,	Hill,	Pettit,	Wilson,
Chapell,	Hoaglin,	Powers,	Speaker,
Chapman,	Hoobler,		

70

NAYS

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Title agreed to.

On motion of Mr. Beecher,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 526, entitled

A bill to amend an act entitled "An act to incorporate the city of Escanaba, in the county of Delta," being act No. 245 of the local acts, session 1883, and to add ten new sections thereto to stand as sections No. 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of chapter 43 of said act,

Respectfully report that they have had the same under consideration, and have ordered me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to amend sections 7 and 17 of chapter 8 of act No. 245 of local acts of 1883, entitled an act to incorporate the city of Escanaba, in the county of Delta, approved March 27, 1883, and to add to chapter 23 of said act ten new sections to stand as sections 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of said chapter,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Thompson,

The House concurred in the adoption of the substitute reported by committee.

On motion of Mr. Thompson,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Kirby,	Mr. Rumsey,
Allen,	Dougherty,	Makelim,	Simpson,
Baker, S.,	Dunbar,	Manley,	Snow,
Baldwin,	Eldred,	McCormick,	Spencer,
Bardwell,	Engleman,	McMillan,	Thompson,
Baumgardner,	Goodrich,	Mulvey,	Tindall,
Beecher,	Grenell,	Ogg,	Van Orthwick,
Bettinger,	Harper,	Oviatt,	Vickary,
Breen,	Haskin,	Pardee,	Washburn,
Brock,	Hill,	Pettit,	Watts,
Burr,	Hoaglin,	Pierce,	Webber,
Cannon,	Hoobler,	Powers,	Wellman,
Chapell,	Houk,	Preston,	Williams, T.H.
Chapman,	Jones,	Robinson, R.,	Williams, W.W.
Cole,	Kallander,	Rogers,	Wilson,
Crocker,	Killean,	Rounsville,	Speaker,
Damon,			65

NAYS

0

Title agreed to.

On motion of Mr. Thompson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on agriculture:

The committee on agriculture, to whom was referred

Senate bill No. 301 (file No. 141), entitled

A bill to authorize the Calhoun County Agricultural Society to mortgage its real estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. W. WATTS *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

Senate bill No. 320 (file No. 156), entitled

A bill to create a fund for and to provide for the payment of certain damages for sheep and lambs killed or wounded by dogs within the city of Jackson and the townships of Summit and Blackman, in the county of Jackson, State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. W. WATTS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 92, entitled

A bill to prevent the destruction of Fish in Klinger lake, White Pigeon township, Middle lake in Sherman and Sturgis Townships and Thompson lake in Sherman township in the county of St. Joseph.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from further consideration of the subject.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 670, entitled

A bill to prohibit the destruction of fish in Hoggset lake in the townships of Portage and Schoolcraft in the county of Kalamazoo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on fisheries:

The committee on fisheries to whom was referred,

House bill No. 304, entitled

A bill to amend section 7 of act No. 117 of the session laws of 1883, entitled "An act to amend section 7 of act No. 202 of the session laws of 1877, relative to the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State."

Also to whom was referred,

House bill No. 617, entitled

A bill to amend section 7 and 8 of an act entitled "An act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams in this State," being sections 2155 and 2156 of Howell's annotated statutes, as amended by act No. 202 of the session laws of 1877, approved May 23, 1877.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute for both bills, entitled

A bill to amend sections 7 and 8 of an act entitled "An act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams in this State," being sections 2155 and 2156 of Howell's annotated statutes, as amended by act No. 202 of the session laws of 1877, approved May 23, 1877,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Perkins,

The House concurred in the adoption of the substitute reported by committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 8, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 340 (file No. 150), entitled .

A bill to revise and amend an act entitled "An act to organize the union school district of Bay City," approved March 20, 1867, and the acts amendatory thereof,

And to inform the House that the Senate has amended the same as follows, viz.:

1. By striking out of line 2 of section 13 the word "vote" and inserting in lieu thereof the words "a majority vote of all the members thereof."

In the passage of which as thus amended the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Green moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day;

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Green,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS:

Mr. Abbott,	Mr. Damon,	Mr. Hunt,	Mr. Rumsey,
Allen,	Dickson,	Jones,	Snow,
Baker, S.,	Dillon,	Kallander,	Spencer,
Baldwin,	Dougherty,	Killeen,	Thompson,
Bardwell,	Dunbar,	Kirby,	Tindall,
Baumgardner,	Eldred,	Makelim,	VanOrthwick,
Beecher,	Goodrich,	Manly,	Vickary,
Bettinger,	Green,	McKie,	Washburn,

Mr. Breen,	Mr. Grenell,	Mr. Mulvey,	Mr. Watts,
Brock,	Harper,	Oviatt,	Webber,
Burr,	Haskin,	Pardee,	Wellman,
Cannon,	Herrington,	Pettit,	Williams, T. H.
Case,	Hill,	Pierce,	Williams, W. W.
Chapman,	Hoaglin,	Preston,	Wilson,
Cole,	Hoobler,	Robinson, R.	Speaker,
Crocker,	Houk,	Rounsville,	63

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 7, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 671 (file No. 257), entitled

A bill authorizing the trustees of the Michigan asylum for the insane at Kalamazoo to deed to the city of Kalamazoo certain State lands in the said city of Kalamazoo for street purposes,

And inform the House that the Senate has amended the same as follows:

By adding to the end thereof the following proviso, viz:

Provided, That a clause shall be inserted in said deed providing that at any time when said city shall cease to use such land for the purpose of a street, the title thereto shall revert to the State.

In the passage of which as thus amended, the Senate has concurred by a vote of two-thirds of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Kirby moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day;

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Kirby,

The House concurred, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Hunt,	Mr. Robinson, R.,
Allen,	Dickson,	Jones,	Rounsville,
Baker, S.,	Diekema,	Kallender,	Rumsey,
Baldwin,	Dillon,	Kelley,	Simps n,
Bardwell,	Dougherty,	Killeen,	Snow,

Mr. Bates,	Mr. Dunbar,	Mr. Kirby,	Mr. Spencer,
Baumgardner,	Eldred,	Lincoln,	Thompson,
Beecher,	Engleman,	Makelim,	Tindall,
Bettinger,	Goodrich,	Manly,	Van Orthwick,
Breen,	Green,	McKie,	Vickary,
Brock,	Grenell,	McMillan,	Washburn,
Burr,	Harper,	Mulvey,	Watts,
Cannon,	Haskin,	Oviatt,	Webber,
Case,	Herrington,	Pardee,	Wellman,
Chapell,	Hill,	Perkins,	Williams, T.H.
Chapman,	Hoaglin,	Pettit,	Wilson,
Cole,	Hoobler,	Preston,	Speaker, 69
Crocker,			

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The bill was referred to the committee on engrossment and enrollment for enrollment.

THIRD READING OF BILLS.

House bill No. 27 (file No. 217), entitled

A bill relative to the confinement of convicted persons in the Detroit house of correction,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott	Mr. Damon,	Mr. Killean,	Mr. Rumsey,
Allen,	Dickson,	Kirby,	Simpson,
Baker, S.	Diekema,	Lincoln,	Snow,
Baldwin,	Dougherty,	Manly,	Spencer,
Bardwell,	Dunbar,	McCormick,	Thompson,
Bates,	Eldred,	McKie,	Tindall,
Baumgardner,	Engleman,	McMillan,	Van Orthwick,
Beecher,	Goodrich,	Ogg,	Vickary,
Bettinger,	Green,	Oviatt,	Washburn,
Bentley,	Grenell,	Pardee,	Watson, H.
Breen,	Harper,	Perkins,	Watts,
Burr,	Haskin,	Pettit,	Webber,
Cannon,	Hill,	Pierce,	Wellman,
Case,	Hoaglin,	Preston,	Williams, T. H.
Chapell,	Hunt,	Robinson, R.,	Williams, W. W.
Chapman,	Jones,	Rogers,	Wilson,
Cole,	Kallander,	Rounsville,	Speaker, 69
Crocker,			

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Title agreed to.

UNFINISHED BUSINESS.

Being the consideration of the following:

Resolved (the Senate concurring), That from and after Tuesday, May 24, 1887, the two branches of this Legislature will transact no other business than for the President of the Senate and the Speaker of the House to sign

enrolled bills for the approval of the Governor, and the entry of the same on the journals by the Secretary of the Senate and the Clerk of the House, and the time of final adjournment of this Legislature shall be Friday, May 27, at 12 M. on that day.

The question being on the adoption of the resolution,

On motion of Mr. Damon,

The resolution was laid on the table.

On motion of Mr. Engleman,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Bettinger,

Leave of absence was granted to himself until Monday evening.

Mr. McMillan moved that when the House adjourn it be until Monday next at 2 o'clock P. M.,

Which motion did not prevail.

Mr. Cannon moved that the House take a recess until 2 o'clock P. M.,

Which motion did not prevail.

On motion of Mr. Abbott,

Leave of absence was granted to himself until Monday evening.

On motion of Mr. Green,

Leave of absence was granted to himself until Monday evening.

On motion of Mr. Snow,

Leave of absence was granted to himself until Thursday next.

On motion of Mr. Pierce,

Leave of absence was granted to himself until Monday noon.

Mr. Cameron moved that the House go into committee of the whole on the general order,

Which motion did not prevail.

On motion of Mr. Rogers,

Leave of absence was granted to himself until Tuesday next.

GENERAL ORDER.

On motion of Mr. Chapman,

The House went into committee of the whole on the general order,

Whereupon the Speaker called Mr. Goodrich to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bills:

1. House bill No. 615 (file No. 279), entitled

A bill to require the Erie and Kalamazoo railroad company to operate and maintain, or to abandon its line of road between Palmyra Junction and the city of Adrian.

2. House bill No. 351 (file No. 281), entitled

A bill to amend section 1 of act No. 177, of the session laws of 1881, entitled "An act relative to the delivery of grain by railroad companies," approved May 31, 1881, being compiler's section 3422 of Howell's annotated statutes of Michigan,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House asking concurrence therein, and recommend their passage.

J. V. GOODRICH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Abbott,
The House concurred in the amendments made by the committee to the first and second named bills, and they were placed on the order of third reading.
On motion of Mr. Oviatt,
The House took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.
Roll called : quorum present.
Mr. Grenell moved to take from the table
House bill No. 601, entitled
A bill to make election days legal holidays.
Which motion prevailed.
On motion of Mr. Grenell,
The bill was referred to the committee on labor interests.
Mr. Grenell moved to take from the table
House bill No. 411, entitled
A bill to prohibit the employment of children under 16 years of age and of females under 18 years of age for more than nine hours a day,
Which motion prevailed.
On motion of Mr. Grenell,
The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

GENERAL ORDER.

On motion of Mr. Eldred,
The House went into committee of the whole on the general order,
Whereupon the Speaker called Mr. Breen to the chair.
After some time spent therein, the committee rose, and through their chairman made the following report:
The committee of the whole have had under consideration the following bill:
1. House bill No. 548 (file No. 246), entitled
A bill making appropriations for the institution for educating the deaf and dumb, for the years 1887 and 1888,
Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.
The committee of the whole have also had under consideration the following bill:
House bill No. 644 (file No. 250), entitled
A bill to amend section two of chapter three hundred and fourteen, relative to fees of officers and ministers of justice in criminal cases,
Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.
The committee of the whole have also had under consideration the following joint resolution.
House joint resolution No. 9 (file No. 5), entitled
Joint resolution to provide for carrying forward and completing the semi-centennial history of Michigan,

And have directed their chairman to report the same back to the House with the recommendation that it be laid on the table.

The committee of the whole have also had under consideration the following bill:

4. House bill No. 291 (file No. 282), entitled

A bill to regulate the manner in which insurance companies not organized under the laws of this State, but doing business within it, shall transact their business.

And have directed their chairman to report the same back to the House with the recommendation that it be made the special order for April 15 at 2:15 P.M.

BARTLEY BREEN, *Chairman.*

Report accepted and committee discharged.

The first named bill was placed on the order of third reading.

On motion of Mr. Hill,

The House concurred in the amendments made by the committee to the second named bill, and it was placed on the order of third reading.

On motion of Mr. Rumsey,

The House concurred in the recommendation of the committee relative to the third named joint resolution and it was laid on the table.

On motion of Mr. Bates,

The house concurred in the recommendation of the committee relative to the fourth named bill, and it was made the special order for April 15, at 2:15 P. M.

MESSAGES FROM THE SENATE.

The Speaker announced the following: .

SENATE CHAMBER, }
Lansing, April 9, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 409, entitled

A bill to amend sections 8, 17, 22, 23, and 43 of title V., entire title XI., by substituting a new title therefor, to stand as title XI., section 3, and the title of title XII., section 3 of title XIII., section 12 of title XIV., of an act entitled "An act to revise and amend the charter of West Bay City, and to repeal all acts and parts of acts in conflict therewith, being act No. 307 of the session laws of 1885, approved April 1, 1885, and to add a new title thereto, containing sections 1 to 8, inclusive, to stand as title XVIII thereof."

In compliance with the request of the House for the same.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Mr. Brock moved to suspend the rule limiting the time within which a motion to reconsider a vote may be made.

Which motion prevailed, two thirds of all the members present voting therefor.

Mr. Brock moved to reconsider the vote by which the House passed the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Brock,

The bill was referred to the committee on municipal corporations.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 409, entitled

A bill to amend sections 8, 17, 22, 23 and 42 of title V., entire title XI., by substituting a new title therefor, to stand as title XI., section 3, and the title of title XII section 12 of title XIII, section 12 of title XIV., of an act entitled an act to revise and amend the charter of West Bay City, and to repeal all acts and parts of acts in conflict therewith, being act No. 307, of the session laws of 1885, approved April 1st, 1885, and to add a new title thereto, containing sections 1 to 8, inclusive, to stand as title XVIII. thereof,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to amend act No. 307 of the session laws of 1885, being an act to revise and amend the charter of West Bay City and to repeal all acts and parts of acts in conflict therewith by amending sections one and three of title I, defining the boundaries and providing for a new ward therein to be numbered sixth ward, and by adding a new section thereto to be numbered section 4, and by amending section 8 of title III, section 3, 8, 17, 22, 23 and 43 of title V, entire title XI by substituting a new title therefor to stand as title XI, section 3 and the title of title XII, section 3 of title XIII, section 12 of title XVI of an act entitled an act to revise and amend the charter of West Bay City and to repeal all acts and parts of acts in conflict therewith, being act No. 307 of the session laws of 1885, approved April 1st, 1885, and to add a new title thereto containing sections 1 to 8, inclusive, to stand as title XVIII thereof,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brock,

The House concurred in the adoption of the substitute reported by committee.

On motion of Mr. Bates,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dougherty,	Mr. Kirby,	Mr. Rounsville,
Baldwin,	Dunbar,	Lincoln,	Simpson,
Bardwell,	Eldred,	Manly,	Spencer,
Bates,	Goodrich,	McCorrick,	Thompson,
Baumgardner,	Green,	McKie,	Tindall,
Beecher,	Grenell,	McMillan,	VanOrthwick,
Bentley,	Harper,	Mulvey,	Vickary,
Breen,	Haskin,	Ogg,	Washburn,
Brock,	Herrington,	Oviatt,	Watson, H.

Mr. Burr,	Mr. Hill,	Mr. Pardee,	Mr. Watts,
Cannon,	Hoaglin,	Perkins,	Webber,
Case,	Hoobler,	Pettit,	Wellman,
Chapman,	Houk,	Powers,	Williams, T.H.
Cole,	Hunt,	Preston,	Williams, W.W.
Damon,	Jones,	Robinson, R.,	Wilson,
Dickson,	Kallandar,	Rogers,	Speaker,
Diekema,	Kelley,		

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Title agreed to.

On motion of Mr. Brock,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 572 (file No. 290), entitled

A bill to amend sections 1, 5, 7, 8, 15, 19, 69, 78 and 101 of an act entitled "An act to revise an act to incorporate the city of Bay City, approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof, and to add three sections thereto to stand as sections 149, 150 and 151 of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend sections 1, 3, 5, 7, 8, 15, 19, 32, 69, 84, 95, 98 and 104 of an act entitled "An act to revise an act to incorporate the city of Bay City," approved March 30, 1881, as amended and revised by the several acts amendatory and revisionary thereof, and to add twenty-three new sections thereto, to stand as sections 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, and to repeal sections 90 and 101 of said act,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. N. BATES, *Chairman*.

Report accepted and committee discharge.

On motion of Mr. Green,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Bates,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dougherty,	Mr. Kirby,	Mr. Rumsey,
Baldwin,	Dunbar,	Lincoln,	Simpson,
Bardwell,	Eldred,	Manly,	Spencer,
Bates,	Goodrich,	McCormick,	Thompson,
Baumgardner,	Green,	McKie,	Tindall,
Beecher,	Grenell,	McMillan,	VanOrthwick,

Mr. Bentley,	Mr. Harper,	Mr. Mulvey,	Mr. Vickary,
Breen,	Haskin,	Ogg,	Washburn,
Brock,	Herrington,	Oviatt,	Watson, H.,
Burr,	Hill,	Pardee,	Watts,
Cannon,	Hoaglin,	Perkins,	Webber,
Case,	Hoobler,	Pettit,	Wellman,
Chapman,	Houk,	Powers,	Williams, T.H.
Cole,	Hunt,	Preston,	Williams, W.W
Damon,	Jones,	Robinson, R.,	Wilson,
Dickson,	Kallander,	Rogers,	Speaker,
Diekema,	Kelley,	Rounsville,	67

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Title agreed to.

On motion of Mr. Green,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Grenell moved to discharge the committee of the whole from the further consideration of

House bill No. 178 (file No. 166), entitled

A bill to preserve the purity of elections and guard against abuses of the elective franchise.

Which motion prevailed.

On motion of Mr. Grenell,

The bill was referred to the committee on judiciary.

GENERAL ORDER.

On motion of Mr. Bates,

The House went into committee of the whole on the general order.

Whereupon the Speaker called Mr. Thompson to the chair.

After some time spent therein the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following:

House bill No. 26 (file No. 4), entitled

A bill to regulate the uniformity of text books in public schools throughout the State and the distribution of the same, and to repeal all statutes and acts contravening the provisions of this act.

But not having gone through therewith, have directed their chairman to report that fact to the House and ask leave to sit again.

H. W. THOMPSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Herrington,

Leave was granted the committee to sit again for the consideration of the bill.

On motion of Mr. Houk,

The House adjourned.

Lansing, Monday, April 11, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Beale.

Roll called: quorum present.

Absent without leave: Messrs. W. A. Baker, Brock, Cady, Dickson, Harper, McMillan, Pettit, Reader and Wellman.

On motion of Mr. Chapman,

Leave of absence was granted to Mr. Pettit indefinitely on account of sickness.

On motion of Mr. Beecher,

Leave of absence was granted to all absentees for the morning session.

PRESENTATION OF PETITIONS.

No. 750. By Mr. Breen: Petition of Geo. H. Bender, R. B. Thomson and 56 others praying for the forfeiture of the unearned portion of the Marquette, Houghton and Ontonagon R. R. land grant.

Also,

No. 751. Petition of Wm. McKane, Wm. Robson and numerous others, same subject.

Also,

No. 752. Petition of Chas. J. Flanagan, R. Zekil and numerous others, same subject.

Also,

No. 753. Petition of M. E. Gleason, N. Arnell and numerous others, same subject.

Also,

No. 754. Petition of Thomas Brady, Frank Hopkins and 180 others, same subject.

Also,

No. 755. Petition of Oscar Tellers, Chas. Fredrickson and 26 other citizens of Baraga county, same subject.

Referred to the committee on public lands.

No. 756. By Mr. Hunt: Petition of W. T. Adams, G. W. Chadwick and 25 others asking for the passage of House bill No. 312, relative to protecting the owners or keepers of stallions.

Referred to the committee on agriculture.

No. 757. By Mr. Manly: Petition of Huron River Assembly in favor of the passage of the bill known as Ogg's convict labor bill.

Referred to committee on labor interests.

Nos. 758, 759, 760, 761, 762. By Mr. McCormick: Petition of Victory Assembly 9443 of Fennville, asking the passage of the Holbrook bill to protect workmen, the Ogg bill, for the health and safety of employes in shops and factories; the Grenell bill, making 9 hours a day's work, the Grenell bill, making election days legal holidays, and the Ogg bill, forbidding the use of store orders in payment of wages.

Referred to the committee on labor interests.

Also,

Nos. 763, 764, 765, 766, 767. Petitions of the same body for the passage of the Rairden bill for the repeal of the conspiracy law; the Hosford bill, rela-

tive to the holding of land by corporations; the Washburn bill, relative to the liability of employers for injuries to employes; the Grenell bill, forbidding the employment of aliens by corporations, and the Grenell purity of election bill.

Referred to the committee on judiciary.

Also;

Nos. 768, 769. Petition of the same body for the passage of the Ogg bill to prevent non-resident aliens from holding lands, and the Breen bill for the forfeiture of unearned land grants.

Referred to the committee on public lands.

Also,

No. 770. Petition of the same body for the Breen bill relative to mine inspection.

Also,

No. 771. Petition of the same body, for the passage of the Dillon bill for the compulsory education of children.

Referred to the committee on education.

No. 772. By Mr. Anderson: Petition of Wm. Kimbell, J. W. Henderson, A. C. Clark and 160 others relative to the passage of House bill No. 358, entitled "A bill to prohibit the use of scrip or store orders in the payment of wages of laborers in mines, mills, shops and factories."

Referred to the committee on labor interests.

No. 773. By Mr. Rounsville: Petition of M. B. Childs, F. G. Palmerton and 43 others, asking for the passage of a bill to protect the owners or keepers of stallions.

Referred to the committee on agriculture.

No. 774. By Mr. Manly: Petition of local assembly No. 3871 of K. of L. asking for the passage of the labor bills, especially the bill known as Ogg's convict labor bill.

Referred to the committee on labor interests.

No. 775. By M. Wilson: Petition of Wm. A. Curle and Albert A. Sight and 8 others of Midland Co., asking for the passage of F. A. Wilson's bill authorizing the State board of control to appropriate certain State swamp lands for the purpose of cleaning out and improving the Sturgeon creek in said county.

Referred to the committee on drainage.

REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 809, entitled

A bill to amend section 16 of act No. 173 of the session laws of 1855, being section 6829 of Howell's annotated statutes relating to justice courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 850, entitled

A bill to amend section 6626 of Howell's annotated statutes, being section 5072 of the compiled laws of 1871, relative to courts of chancery,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Washburn,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 198, entitled

A bill to legalize the action of the board of school inspectors of the township of Nottawa, in the county of Isabella, and to establish the boundaries of school district number two in said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,
Lansing, April 9, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the secretary of state,

[House bill No. 632, being]

An act to revise and amend act No. 53 of the session laws of 1859, entitled "An act to incorporate the city of Battle Creek," approved Feb. 3, 1859, as revised and amended by the several acts revisionary and amendatory thereof, and to repeal all acts or parts of acts inconsistent herewith.

C. G. LUCIE, *Governor.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 9, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 42 (file No. 22), entitled

A bill in relation to jurors in courts of record in Wayne county, and to revise the laws relative thereto,

Which the House amended as follows:

1. By striking out, commencing in line 3, section 5, the following words "free-holders or owners in their own right of personal property of the value at least \$200, and shall be;"

2. By striking out in lines 2 and 3, section 6, the words "and as petit jurors in the superior court of Detroit the names of 250 persons;"

3. By inserting in line 6, section 25, after the word "colleges," the words "the senior member of any firm of druggists or pharmacists;"

4. By inserting in line 11 of section 25, after the word "active," the words "and contributing;"

5. By adding to the end of the bill a new section to stand as section 28, and to read as follows:

SEC. 28. Not more than six members of the Board of Jury Commissioners shall be members of the same political party,

And to inform the House that in said amendments the Senate has non-concurred.

And further to inform the House that the Senate requests a committee of conference to whom shall be referred the matters of difference between the two houses as to said bill.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Mr. Grenell moved that the request of the Senate for a committee of conference on the difference existing between the two houses relative to the bill, be granted,

Pending which,

Mr. Stuart moved that the House insist on its amendments to the bill,

Which motion did not prevail.

The motion that the request for a committee of conference be granted then prevailed.

GENERAL ORDER.

On motion of Mr. Oviatt,

The House went into committee of the whole on the general order,

Whereupon the Speaker called Mr. Thompson to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

1. House bill No. 26 (file No. 4), entitled

A bill to regulate the uniformity of text books in public schools throughout the State, and the distribution of the same, and to repeal all statutes and acts contravening the provisions of this act,

Have made sundry amendments thereto and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following bills:

2. House bill No. 645 (file No. 233), entitled,

A bill to amend section three of chapter four of act number two hundred and twenty-seven, of the public acts of eighteen hundred and eighty-five, entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto."

3. House bill No. 865 (file No. 194), entitled,

A bill to provide for the formation of corporations for storing and trucking.

Have made no amendments thereto, and have directed their chairman to report the same back to the house, and recommend their passage.

H. W. THOMPSON, *Chairman*.

Report accepted and committee discharged.

The second and third named bills were placed on the order of third reading.

On motion of Mr. Manly,

The House concurred in the amendments made by the committee to the first named bill, and it was placed on the order of third reading.

On motion of Mr. Cannon,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

GENERAL ORDER.

On motion of Mr. Bates,

The House went into committee of the whole, on the general order, Whereupon the Speaker called Mr. Chapell to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report :

The committee of the whole have had under consideration the following bills :

1. House bill No. 637 (file No. 208), entitled

A bill to amend an act entitled An act to secure the minority of stockholders in corporations organized under general laws, the power of electing a representative membership in boards of directors, by excepting clubs formed for social, yachting, hunting, boating, fishing, and rowing purposes,

2. Senate bill No. 191 (file No. 69), entitled

A bill to require prosecuting attorneys to appear and conduct criminal proceedings in the Supreme Court in certain cases, and to provide for the payment of extra compensation therefor,

3. House bill No. 741 (file No. 259), entitled

A bill to amend section 6626 of Howell's annotated statutes, being section 5072 of the compiled laws of 1871, relative to courts of chancery,

4. House bill No. 318 (file No. 263), entitled

A bill to amend sections 1, 4, 10 and 12 of act No. 232 of the public acts of 1885, approved June 20, 1885, entitled "An act to revise the laws providing for the incorporation of all manufacturing companies (except such as are

contemplated by act No. 42, of the session laws of 1867, which provides for the incorporation of persons or corporations engaged in the manufacture of salt), and mercantile companies, or any union of the two, and to fix the duties and liabilities of such corporations,"

5. House bill No. 241 (file No. 446), entitled

A bill making an appropriation for the current expenses of the Michigan Soldier's Home, and other expenses necessary to the maintenance and improvement thereof for the years 1887 and 1888,

6. House bill No. 561 (file No. 286), entitled

A bill to authorize the committees of the Legislature on the several State institutions to visit them during the recess of the Legislature, and requiring them to report their observation in writing to the succeeding Legislature,

7. House bill No. 333 (file No. 287), entitled

A bill to amend section 4 of chapter 12 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, and being act No. 326 of the session laws of 1883,

8. House bill No. 398 (file No. 288), entitled

A bill to amend section 2 of chapter 4 of act No. 326 of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, as amended by act approved June 10, 1885,

9. House bill No. 143 (file No. 291), entitled

A bill to change the name of Edwin N. Chapman to Edwin N. Brown,

10. House bill No. 257 (file No. 292), entitled

A bill to provide for the furnishing to the probate court of each organized county in this State with a full set of the reports of the supreme court of the State of Michigan,

11. House bill No. 108 (file No. 294), entitled

A bill to provide for the garnishment of executors and administrators.

12. House bill No. 5 (file No. 152), entitled

A bill to provide for the purchase of land and the erection of buildings for the use and benefit of the Eastern Michigan Asylum, and to make payment for the same out of the surplus moneys in the hands of the treasurer of said asylum,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

13. House bill No. 450, (file No. 226), entitled

A bill to legalize the proceedings had in laying out and completing a certain ditch or drain in the township of Leroy, in the county of Ingham, and to equalize the tax therefor,

14. House bill No. 792 (file No. 196), entitled

A bill to amend section 3 of chapter 7 of Howell's annotated statutes, being compiler's section 1381,

15. House bill No. 518 (file No. 178), entitled

A bill to provide for the registration of physicians and surgeons and to protect the people of the State of Michigan from empericism and quackery and to repeal act No. 167 of the session laws of 1883, entitled "An act to promote public health,

16. House bill No. 341 (file No. 298), entitled

A bill to amend section 15. of chapter 3, of an act entitled, "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being act number 164 of session laws of 1881, as amended by act number 93 of session laws of 1883,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

W. R. CHAPPELL, *Chairman.*

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, and twelfth named bills were placed on the order of third reading.

On motion of Mr. Bardwell,

The House concurred in the amendments made by the committee to the thirteenth, fourteenth, fifteenth, and sixteenth named bills, and they were placed on the order of third reading.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 212, (file No. 229), entitled

A bill making an appropriation for building a chapel, store-house, seven stone or iron porches, and four colony houses for chronic insane, and contiguous cottage for a resident physician, at the Michigan asylum, for the insane,

Also,

House bill No. 308, entitled

A bill to authorize the purchase of additional land for the use and benefit of the Michigan asylum for the insane at Kalamazoo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute for the two bills, entitled

A bill to provide for the purchase of land and the erection of buildings for the use and benefit of the Michigan Asylum for the Insane at Kalamazoo, and to make payment for the same out of the surplus moneys in the hands of the treasurer of said asylum,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. W. Williams,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

Mr. Cole moved to reconsider the vote by which the House directed that House bill No. 291 (file No. 282), entitled

A bill to regulate the manner in which insurance companies not organized under the laws of this State, but doing business within it, shall transact their business,

Be made the special order for April 15, at 2.15 P. M.,

Which motion prevailed.

The question being on making the bill the special order
2.15 P. M.,

Mr. Cole moved to amend the motion by making the bill the special order for April 12, at 10:30, A. M.,

Which motion did not prevail.

Mr. Jones moved to amend so that the bill be made the special order for Thursday, April 14, at 2:15 P. M.,

Which was agreed to.

The motion that the bill be made the special order for Thursday, April 14, at 2:15 p. m. then prevailed, two-thirds of all the members present voting therefor.

Mr. Perkins moved to discharge the committee of the whole from the further consideration of

House bill No. 96 (file No. 272), entitled

A bill to amend section 8218 of Howell's compilation, being section 6630 of the compiled laws of 1871, as amended by act No. 63, of the session laws of 1883, relative to proceedings by and against public bodies, having certain corporate powers, and by and against officers representing them,

Which motion prevailed.

On motion of Mr. Perkins,

The bill was referred the committee on judiciary.

Mr. Perkins moved to discharge the committee of the whole from the further consideration of

House bill No. 871 (file No. 256), entitled

A bill to amend section 7 of chapter 208 of the revised statutes of 1871, being compiler's section 6630, relative to proceedings by and against public bodies, having certain corporate powers, and by and against officers representing them, as amended by act No. 63 of the public acts of 1883, being section 8218 of Howell's annotated statutes,

Which motion prevailed.

On motion of Mr. Perkins,

The bill was referred to the committee on judiciary.

By the committee on lumber and salt:

The committee on lumber and salt, to whom was referred

Senate bill No. 291 (file No. 148), entitled

A bill to amend section 1 of act No. 221 of the laws of 1863, entitled "An act to amend an act entitled 'An act to provide for the floating of logs and timbers in the streams of this State,' " approved March 16, 1861, as amended by act No. 85 of the laws of 1879,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. S. LINTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wilson.

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

On motion of Mr. Linton,

The bill was laid on the table.

On motion of Mr. Chapman,

The House adjourned.

Lansing, Tuesday, April 12, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Lewis.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

No. 776. By Mr. Kelley: Petition of Assembly No. 3096, K. of L., of the village of Lapeer, asking for the passage of the various labor bills now pending before the Legislature.

Referred to the committee on labor interests.

No. 777. By Mr. Kelley: Petition of J. H. Hemingway, A. S. Moreland and 45 others, praying for the incorporation of the village of Hadley, in the county of Lapeer, State of Michigan.

Referred to the committee on municipal corporations.

No. 778. By Mr. Haskin: Petition of E. E. Palmer, W. H. McEntee and 55 others, asking for the passage of House bill No. 475, locating the fire limits of the village of Imlay City, and legalizing the same.

Referred to the committee on municipal corporations.

No. 779. By Mr. Washburn: Petition of Henry Deaninger, E. J. Skinner, O. J. Burch, and 65 others, of Adrian, relative to the Grenell purity of election bill.

Referred to the committee on judiciary.

No. 780. By Mr. Washburn: Memorial of Knights of Labor of Adrian, for the passage of the Washburn bill relative to the liability of employers for injury to employes.

On demand of Mr. Washburn,

The memorial was read at length and spread at large on the journal, as follows:

To the Honorable Senators and Members of the Legislature of the State of Michigan, Greeting:

In regular session assembled Adrian Assembly 5631, Knights of Labor,

Resolved, That the best interests of the wage-workers of Michigan demand the passage of the bill now under consideration by the Legislature of this State, known as the "Washburn employers' liability bill."

It was further

Resolved, That the Master Workman forward to your honorable bodies a copy of the above resolutions and in the name of three hundred members, petition for the passage of the bill.

All of which I respectfully submit.

JAS. H. MORROW,

Master Workman Adrian Assembly K. of L.

Referred to the committee on judiciary.

No. 781. By Mr. Anderson. Petition of W. J. Peacock and 31 others relative to the passage of House bill No. 358, entitled "A bill to prohibit the

use of scrip or store orders in the payment of wages to laborers, in mines, mills, and factories."

Also,

No. 782. Petition of Henry Avery, R. J. McKenley, and 163 others on same subject.

Referred to the committee on labor interests.

No. 783. By Mr. Cannon: Petition of J. C. Tobeous and 79 others asking for the passage of House bill 519, relative to hunting and fishing.

Referred to the committee on fisheries.

No. 784. By Mr. Rogers: Petition of Mr. and Mrs. H. A. Barker and 75 others, relative to municipal suffrage for women.

Referred to the committee on elections.

No. 785. By Mr. W. A. Baker: Petition of W. H. Sylvester, O. E. Fifield, J. H. Perkins and 155 other citizens of Berrien county asking the passage of House bill No. 236, providing for making certain bridges a county charge,

On demand of Mr. W. A. Baker,

The petition was read at length, and spread at large on the journal as follows:

To the Honorable Senate and House of Representatives of the State of Michigan:

We, the undersigned citizens of Berrien county, believing the present law, requiring highway bridges—which are not only a convenience but a necessity for the entire community—to be maintained and supported by the township or city within whose corporate limits a highway happens to cross a stream, to be an outrage, would respectfully urge the passage of House bill No. 236, entitled "A bill to create the office of county bridge commissioner, and provide for their election; also to make the building of all important bridges a county matter and provide for their construction and repair,"

Referred to the committee on roads and bridges.

No. 786. By Mr. Linton: Petition of Ed. Rushton and 15 others remonstrating against the detaching of any territory from the township of Carrollton and attaching the same to Saginaw City in Saginaw county, and declaring that their signatures were obtained through misrepresentation.

Referred to the committee on municipal corporations.

REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred House bill No. 313, entitled

A bill to incorporate the city of Benton Harbor.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. A. Baker

The bill was laid upon the table.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred
House bill No. 815, entitled

A bill to incorporate the village of Hadley in the county of Lapeer and
State of Michigan,

Respectfully report that they have had the same under consideration, and
have directed me to report the same back to the House, without amendment,
and recommend that it do pass, and ask to be discharged from the further
consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kelley,

The rules were suspended, two-thirds of all the members present voting
therefor, and the bill was put on its immediate passage.

The bill was then read a third time and passed, a majority of all the mem-
bers elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Allen,	Mr. Dickson,	Mr. Killian,	Mr. Rumsey,
Anderson,	Dougherty,	Makelam,	Simpson,
Ashton,	Dunbar,	Manly,	Spencer,
Baker, S,	Eldred,	McCormick,	Stuart,
Baker, W. A.,	Engleman,	McKie,	Thompson,
Baldwin,	Green,	McMillan,	Tindall,
Bardwell,	Harper,	Ogg,	VanOrthwick,
Bates,	Haskin,	O'Keefe,	Vickary,
Baumgardner,	Herrington,	Oviatt,	Vroman,
Bettinger,	Hoaglin,	Perkins,	Watson, F. H.
Bentley,	Holt,	Pierce,	Watson, H.
Breen,	Hoobler,	Powers,	Watts,
Burr,	Hosford,	Reader,	Webber,
Cady,	Houk,	Rentz,	Weilman,
Cannon,	Hunt,	Robinson, J. W.	Williams, W. W.
Chapell,	Jones,	Robinson R,	Wilson,
Chapman,	Kallander,	Rogers,	Wood,
Crocker,	Kelly,	Rounsiville,	Speaker,
Damon,			

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NAYS.

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Title agreed to.

On motion of Mr. Kelley,

By a vote of two-thirds of all the members elect the bill was ordered to
take immediate effect.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred
House bill No. 475 (file No. 218), entitled

A bill requiring all patent rights or patent deeds to be registered in each
county in the State before offering the same for sale therein,

Respectfully report that they have had the same under consideration, and
have directed me to report the same back to the House, with the accompany-
ing substitute therefor, entitled

A bill legalizing an ordinance to prescribe certain fire limits in the village

of Imlay City, Lapeer county, State of Michigan, and to provide penalties for the violation thereof,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Haskin,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Haskin,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS

Mr. Allen,	Mr. Dillon,	Mr. Kirby,	Mr. Rumsey,
Anderson,	Dougherty,	Lincoln,	Simpson,
Ashton,	Dunbar,	Linton,	Spencer,
Baker, W. A.,	Eldred,	Makelim,	Thompson,
Bardwell,	Engleman,	Manly,	Tindall,
Bates,	Harper,	McCormick,	VanOrthwick,
Baumgardner,	Haskin,	McKie,	Vickary,
Beecher,	Herrington,	McMillan,	Vroman,
Bettinger,	Hoaglin,	Ogg,	Washburn,
Bentley,	Holt,	Oviatt,	Watson, F. H.,
Breen,	Hoobler,	Pardee,	Watson, H.,
Burr,	Hosford,	Powers,	Watts,
Cady,	Houk,	Reader,	Wellman,
Cannon,	Hunt,	Rentz,	Williams, W. W.
Case,	Jones,	Robinson, J. W.	Wilson,
Chappell,	Kallender,	Robinson, R.,	Wood,
Chapman,	Kelley,	Rogers,	Speaker.
Damon,	Killean,	Rounsville,	

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NAYS.

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Title agreed to

On motion of Mr. Haskin,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on education:

The committee on education, to whom was referred

House bill No. 429, entitled

A bill to detach certain territory from graded school district No. 4 of Evergreen, Sidney, Bushnell and Fairplains, and from primary districts Nos. 1 and 5 of Sidney, and from fractional district No. 6 of Evergreen and Sidney, in the county of Montcalm, and erect the same into a primary school district, and to provide for election of officers for said district,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 216, entitled

A bill to amend act No. 145 of the general laws of 1885, entitled "An act concerning churches and religious societies, establishing rules for the acquisition, tenure, control and disposition of property conveyed or dedicated for religious purposes," and to repeal chapter 52 of the revised statutes, being a part of chapter 170 of Howell's annotated statutes, by adding to said act one section to stand as section 33.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize the trustees, vestrymen, consistory, or other governing body of any religious society incorporated under the laws of this State, to receive money by gift or bequest when the same is to be invested and the income thereof applied in payment or part payment of the salary of their minister, priest, rector, parson or clergyman,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 356, (file No. 173), entitled

An act to authorize the corporation of suburban homestead, villa park and summer resort associations,

Also,

House bill No. 169 (file No. 81), entitled

An act to provide for the organization of log and timber insurance companies, to insure against the risks of inland navigation upon the great American lakes and the waters connected therewith, in towing or transportation of logs or timber, and to define their powers.

Also,

House bill No. 319 (file No. 121), entitled

An act to provide for the incorporation of associations for the purpose of constructing, owning, controlling and leasing buildings for hotels, elevators, or public halls,

Also,

House bill No. 461 (file No. 151), entitled

An act to amend section 10 of act No. 206 of the session laws of 1877, entitled, "An act to authorize the incorporation of co-operative savings associations," approved May 26, 1877, being compiler's section No. 3970 of Howell's annotated statutes,

Also,

House bill No. 671 (file No. 257), entitled

An act authorizing the trustees of the Michigan asylum for the insane at Kalamazoo to deed to the city of Kalamazoo certain State lands in the said city of Kalamazoo for street purposes,

Also,

House bill No. 340 (file No. 153), entitled

An act to revise and amend an act entitled "An act to organize the union school district of Bay City," approved March 20, 1867, and the acts amendatory thereof,

ROBERT Y. OGG, *Chairman.*

Report accepted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 11, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

Resolved by the Senate (the House concurring), That the State printers be and they are hereby instructed to print from time to time, in the order of their approval by the Governor, all acts of the present Legislature of a public nature, which are ordered to take immediate effect, and insert the same in the Legislative Journal, in the form of a supplemental sheet, and that the Secretary of State be required to furnish the State printer with certified copies of such acts,

Which has been adopted by the Senate and in which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The question being on concurring in the adoption of the resolution,

The resolution was then adopted.

Mr. Dikema offered the following:

Resolved by the House (the Senate concurring), That the Secretary of State be and he is hereby instructed to have the public acts of the session of 1882 re-printed for sale and future distribution, to the number of one thousand copies.

Pending the order that the resolution lie over one day under the rules,

On motion of Mr. Diekema,

The rules were suspended, two-thirds of all the members present voting therefor, and the resolution was put upon its immediate consideration.

The resolution was then adopted.

Mr. F. H. Watson moved to discharge the committee on judiciary from the further consideration of

House bill No. 701, entitled

A bill to provide for the licensing of stationary engineers and to provide for the office of boiler inspector of the State of Michigan,

Which motion prevailed.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 701, entitled

A bill for the licensing of stationary engineers, and to provide for the office of boiler inspector of the State of Michigan,

Respectfully report the same back to the House in compliance with a resolution of the House of this date.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. F. H. Watson,

The bill was referred to the committee on labor interests.

On motion of Mr. Diekema,

The House took up

UNFINISHED BUSINESS.

Being the consideration of the following resolution :

Resolved by the House (the Senate concurring), that a special joint committee consisting of three of the House and two of the Senate be appointed to investigate the charges and rumors against the management of the State public school and against the character of the superintendent and others in charge, with full authority in the premises to hold sessions, at the school or elsewhere, at such times as shall best suit their convenience, to enforce the attendance of witnesses, administer oaths, taking in full the testimony with clerk and stenographer, as may to them seem desirable, and to perform every act of examination by means of the books and records of the institution, or otherwise, as to them shall seem necessary to a full understanding of the facts in the case, and report their doings to the Legislature at their earliest convenience.

The question being on the adoption of the resolution,

Mr. Manly moved to amend the resolution, by striking out all of first and second lines, except last word, and inserting in lieu thereof the words:

Resolved, (the Senate concurring), That the standing committee on the State public school, be and is hereby instructed to proceed at once to investigate charges,"

Pending which,

Mr. Bates moved to amend the resolution by making the special committee to consist of two from the House and one from the Senate.

Mr. Manly moved to amend the amendment by making the committee of investigation of three to consist of members of the standing committees of the two Houses,

Which was not agreed to.

The motion to amend the resolution then prevailed, two-thirds of all the members present voting therefor.

The question then being on striking out the first and second lines, except the last word thereof, and inserting other words in lieu thereof,

Mr. Manly demanded the yeas and nays.

The demand was seconded, and the motion to strike out and insert did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Ashton,	Mr. Dakin,	Mr. Hosford,	Mr. Powers,
Baker, S.,	Dickson,	Killeen,	Rentz,
Baumgardner,	Dunbar,	Lincoln,	Vroman,
Bentley,	Engleman,	Manly,	Washburn,
Breen,	Harper,	Pardee,	Wellman,
Crocker,			

21

NAYS.

Mr. Abbott,	Mr. Chapman,	Mr. Kelley,	Mr. Robinson, R.,
Mr. Allen,	Cole,	Kirby,	Rogers,
Anderson,	Damon,	Makelim,	Rumsey,
Baker, W. A.,	Diekema,	McCormick,	Simpson,
Baldwin,	Dillon,	McKie,	Spencer,
Bardwell,	Dougherty,	McMillan,	Stuart,
Bates,	Eldred,	Mulvey,	Tindall,
Beecher,	Haskin,	Ogg,	Vickary,
Bettinger	Herrington,	O'Keefe,	Watson F. H.
Burr,	Holt,	Oviatt,	Watson, H.,
Cady,	Houk,	Perkins,	Williams, T. H.
Cannon,	Hunt,	Preston,	Williams, W. W.
Chapell,	Jones,	Robinson, J. W.	

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The resolution as amended was then adopted.

THIRD READING OF BILLS.

House bill No. 351 (file No. 281), entitled

A bill to amend section 1 of act No. 177 of the session laws of 1881, entitled "An act relative to the delivery of grain by railroad companies," approved May 31, 1881, being compilers's section 3422 of Howell's annotated statutes of Michigan,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Chapman moved to amend the bill by striking out in line 5 recited sec. 1 the words,

"*Provided*, That such grain shall have been weighed at place of shipment by the agent of such railroad company," and adding at the end of the bill the following:

"*And provided further*, If any such corporation shall, upon the receipt by it of any grain for transportation, neglect or refuse to weigh and receipt for the same, the sworn statement of the shipper, or his agent having personal knowledge of the amount of grain so shipped, shall be taken as true, as to the amount so shipped,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Manly,	Mr. Rumsey,
Allen,	Damon,	McCormick,	Simpson,
Anderson,	Dickson,	McMillan,	Spencer,
Ashton,	Dillon,	Mulvey,	Stuart,
Baker, W. A.,	Dougherty,	Ogg,	Thompson,
Baldwin,	Dunbar,	O'Keefe,	Tindall,
Bardwell,	Eldred,	Oviatt,	Van Orthwick,
Bates,	Harper,	Pardee,	Vickary,
Baumgardner,	Haskin,	Perkins,	Vroman,
Beecher,	Herrington,	Pierce,	Washburn,
Bentley,	Hoaglin,	Powers,	Watson, H.,
Breen,	Hosford,	Preston,	Watts,
Burr,	Houk,	Reader,	Webber,
Cady,	Jones,	Rentz,	Wellman,
Cannon,	Kelley,	Robinson, J. W.	Williams, W. W
Case,	Killean,	Robinson, R.,	Wilson,
Chapell,	Lincoln,	Rogers,	Wood,
Chapman,	Makelim,	Rouns ville,	71

NAYS.

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Title agreed to.

House bill No. 615 (file 279), entitled

A bill to require the Erie and Kalamazoo railroad company to operate and maintain, or to abandon its line of road between Palmyra Junction and the city of Adrian.

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, and follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Kirby,	Mr. Rogers,
Allen,	Dickson,	Lincoln,	Rouns ville,
Anderson,	Diekema,	Manly,	Rumsey,
Ashton,	Dillon,	McKie,	Stuart,
Baker, W. A.,	Dougherty,	McMillan,	Thompson,
Baldwin,	Eldred,	Mulvey,	Tindall,
Bardwell,	Engleman,	Ogg,	Vickary,
Bates,	Harper,	O'Keefe,	Vroman,
Baumgardner,	Haskin,	Oviatt,	Washburn,
Bettinger,	Herrington,	Pardee,	Watson, F. H.
Bentley,	Hoaglin,	Perkins,	Watson, H.,
Breen,	Holt,	Pierce,	Watts,
Burr,	Hosford,	Powers,	Webber,
Cady,	Houk,	Preston,	Wellman,
Cannon,	Hunt,	Reader,	Williams, W. W.
Case,	Kallender,	Rentz,	Wilson,
Chapell,	Kelley,	Robinson, J. W.	Wood,
Chapman,	Killean,	Robinson, R.,	Speaker,
Cole,			72

NAYS.

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Title agreed to.

On motion of Mr. Cole,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 548, (file No. 246), entitled

A bill making appropriations for the institution for educating the deaf and dumb, for the years 1887 and 1888,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Jones moved to amend the bill by striking out in line 1 and 2, Sec. 1, the words "five hundred," also by striking out in line 3 the same words, also by striking out same words in line 4, Sec. 4; also, by striking out the word "nine" at the end of line 2, Sec. 4, and inserting the word "four" in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Rogers moved to strike out in lines 10 and 11, Sec. 2, the words "and six thousand dollars for the purchase of land for such institution,"

On agreeing to which,

Mr. Rogers demanded the yeas and nays.

The demand was seconded, and the motion to amend did not prevail, two-thirds of all the members present not voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. McCormick,	Mr. Rounselle,
Allen,	Dickson,	Ogg,	Spencer,
Bates,	Dunbar,	Pardee,	Vroman,
Bentley,	Eldred,	Powers,	Watson, F. H.,
Burr,	Harper,	Preston,	Watts,
Cady,	Hunt,	Robinson, R.,	Webber,
Cole,	Kelly,	Rogers,	27

NAYS.

Mr. Anderson,	Mr. Chapman,	Mr. Kallander,	Mr. Rentz,
Ashton,	Crocker,	Killeen,	Robinson, J. W.
Baker, S.,	Diekema,	Kirby,	Rumsey,
Baker, W. A.,	Dougherty,	Lincoln,	Stuart,
Baldwin,	Engleman,	Linton,	Thompson,
Bardwell,	Haskin,	Manly,	Tindall,
Baumgardner,	Herrington,	McKie,	VanOrthwick,
Beecher,	Hoaglin,	McMillan,	Vickary,
Breen,	Holt,	Oviatt,	Washburn,
Cannon,	Hosford,	Perkins,	Wellman,
Case,	Houk,	Pierce,	Williams, W. W.
Chapell,	Jones,	Reader,	Wood, 48

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapell,	Mr. Jones,	Mr. Reader,
Allen,	Chapman,	Kallender,	Rentz,
Anderson,	Crocker,	Killeen,	Robinson, J. W.,

Mr. Ashton,	Mr. Damon,	Mr. Kirby,	Mr. Robinson, R.,
Baker, S.	Dickson,	Lincoln,	Rumsey,
Baker, W. A.,	Dillon,	Manly,	Stuart,
Baldwin,	Dougherty,	McCormick,	Thompson,
Bardwell,	Dunbar,	McKie,	Tindall,
Baumgardner,	Engloman,	McMillan,	Van Orthwick,
Beecher,	Harper,	Mulvey,	Vickary,
Bettinger,	Haskin,	Ogg,	Washburn,
Bentley,	Herrington,	Oviatt,	Watson, F. H.
Breen,	Hoaglin,	Pardee,	Wellman,
Burr,	Holt,	Perkins,	Williams, W. W.
Cady,	Hoobler,	Powers,	Wilson,
Cannon,	Hosford,	Preston,	Wood,
Case,	Houk,		

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NAYS.

Mr. Rounsville,	Mr. Spencer,	Mr. Vromam,	3
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Title agreed to.

On motion of Mr. Jones,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Preston,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

THIRD READING OF BILLS.

House bill No. 644 (file No. 250), entitled

A bill to amend section two of chapter three hundred and fourteen, relative to fees of officers and ministers of justice in criminal cases,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Chapman,	Mr. Jones,	Mr. Robinson, R.,
Ashton,	Cole,	Kallander,	Rogers,
Baker, S.,	Crocker,	Kelley,	Rumsey,
Baker, W. A.	Damon,	Killeen,	Simpson,
Baldwin,	Dickson,	Kirby,	Spencer,
Bardwell,	Diekema,	Lincoln,	Thompson,
Baumgardner.	Dillon,	Manly,	Tindall,
Beecher,	Dougherty,	McCormick,	Van Orthwick,

Mr. Bettinger,	Mr. Eldred,	Mr. McKie,	Mr. Vickary,
Bentley,	Engleman,	Mulvey,	Watson, F. H.,
Breen,	Haskin,	O'Keefe,	Watson, H.,
Brock,	Herrington,	Perkins,	Watts,
Burr,	Hoobler,	Pierce,	Wilson,
Case,	Houk,	Reader,	Wood,
Chapell,	Hunt,	Robinson, J. W.	59

NAYS.

Mr. Cannon,	Mr. Hoaglin,	Mr. Pardee,	Mr. Vroman,
Dakin,	Hosford,	Preston,	Washburn,
Dunbar,	Ogg,	Stuart,	Webber, 12

The question being on agreeing to the title,

Mr. Diekema moved to amend the title so as to read as follows:

A bill to amend section 2 of chapter 240, of the session laws of 1881, being section 9053 of Howell's annotated statutes, relativs to fees of officers and ministers of justice in criminal cases,

Which motion prevailed.

The title as amended was then agreed to.

Mr. Wilson moved to take from the table

Senate bill No. 291 (file No. 148), entitled

A bill to amend section 1 of act No. 221 of the laws of 1863, entitled "An act to amend an act entitled 'An act to provide for the floating of logs and timbers in the streams of this State,' " approved March 16, 1861, as amended by act No. 85 of the laws of 1879,

Which motion prevailed.

On motion of Mr. Wilson,

The bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Kirby,	Mr. Robinson, R.
Allen,	Diekema,	Lincoln,	Rogers,
Baker, W. A.,	Dillon,	Linton,	Rumsey,
Baldwin,	Dougherty,	Makelim,	Simpson,
Bardwell,	Dunbar,	Manly,	Stuart,
Bates,	Eldred,	McCormick,	Thompson,
Baumgardner,	Haskin,	McKie,	Tindall,
Beecher,	Herrington,	McMillan,	VanOrthwick,
Bettinger,	Hoaglin,	Mulvey,	Vickary,
Breen,	Holt,	Ogg,	Washburn,
Cady,	Hoobler,	O'Keefe,	Watson, H.
Case,	Hosford,	Oviatt,	Watts,
Chapell,	Houk,	Pardee,	Webber,
Chapman,	Hunt,	Perkins,	Williams, T. H.
Cole,	Jones,	Powers,	Wilson,
Crocker,	Kallander,	Reader,	Wood,

Mr. Dakin,	Mr. Kelley,	Mr. Robinson, J. W.	Mr. Speaker.	
Damon,	Killean,			70

NAYS.

Anderson,	Vroman,	2
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Title agreed to.

On motion of Mr. Wilson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The hour having arrived for the

SPECIAL ORDER,

On motion of Mr. Chapman,

The House went into committee of the whole, on the special order,
With the Speaker in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 205 (file No. 203), entitled

A bill to secure to women citizens who are otherwise qualified the right to vote in school, town, city and other municipal elections,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

D. P. MARKEY, *Chairman*.

Report accepted and committee discharged.

The question being on concurring in the action of the committee in striking out all after the enacting clause of the bill,

Mr. Oviatt demanded the yeas and nays,

The demand was seconded, and the action of the committee was concurred in by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Kirby,	Mr. Rounsaville,
Baker, S.,	Dougherty,	Linton,	Rumsey,
Baker, W. A.,	Dunbar,	Manly,	Simpson,
Bates,	Eldred,	McCormick,	Stuart,
Beecher,	Engleman,	McKie,	Vickary,
Bettinger,	Harper,	Mulvey,	Vroman,
Brock,	Herrington,	Ogg,	Washburn,
Cady,	Hoaglin,	Perkins,	Watson, F. H.
Cannon,	Houk,	Pierce,	Watts,
Chapell,	Hunt,	Rentz,	Webber,
Chapman,	Jones,	Robinson R.,	Williams, T. H.
Crocker,	Kallander,	Rogers,	Wood,
Diekema,	Killean,		50

NAYS.

Mr. Allen,	Mr. Cole,	Mr. Lincoln,	Mr. Thompson,
Anderson,	Dakin,	Mc Millan,	Tindall,
Ashton,	Damon,	Oviatt,	Van Orthwick,
Baldwin,	Dickson,	Pardee,	Watson, H.,

Mr. Baumgardner, Mr. Haskin,	Mr. Powers,	Mr. Wellman,
Bentley,	Hoobler,	Williams, W. W.
Breen,	Hosford,	Wilson,
Burr,	Kelley,	Speaker,
Case,		

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The title and enacting clause were laid on the table.

On motion of Mr. Dakin,

The House adjourned.

Lansing, Wednesday, April 13, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Thompson.

Roll called: quorum present.

Absent without leave: Messrs. Cannon and Simpson.

On motion of Mr. Manly,

Leave of absence was granted to Mr. Dickson indefinitely on account of sickness.

Mr. Bates sent up the following telegram:

ROMEO DEPOT, MICH.

Hon. E. C. Cannon, seat 96, House.

Mother died this a. m. Funeral Thursday, one p. m.

S. B. CANNON.

On motion of Mr. Bates,

Leave of absence was granted to Mr. Cannon indefinitely.

PRESENTATION OF PETITIONS.

No. 787. By Mr. Lincoln: Petition of the officers and members of local Assembly 8364 of the K. of L., asking for the passage of the following bills:

Mr. Breen's bill forfeiting unearned land grants.

Mr. Breen's bill to provide for mine inspectors.

Mr. Dillon's bill to provide for compulsory education of children.

Mr. Grenell's bill making general election days legal holidays.

Mr. Grenell's bill to preserve the purity of elections and to provide a secret ballot.

Mr. Grenell's bill making nine hours a legal work day for women and children.

Mr. Grenell's bill to prohibit the employment of aliens by corporations.

Mr. Holbrook's bill to protect workmen against wrongful requirements by employers.

Mr. Hosford's bill to carry into effect the provision of the constitution that no corporation shall hold land more than ten years.

Mr. Hosford's bill preventing corporations from engaging in retail mercantile business.

Mr. Ogg's bill to abolish contract labor in State prisons.

Mr. Ogg's bill to prohibit the use of scrip or store orders in payment of wages.

Mr. Ogg's bill to prohibit non-resident aliens from holding land.

Mr. Ogg's bill to provide for better protection of health, safety and comfort of persons employed in shops and factories.

Mr. Rairden's bill to repeal the Baker conspiracy law.

Mr. Washburn's bill to make employers liable for injuries sustained by their employed by reason of uncovered or unsafe machinery.

Referred to the committee on labor interests.

No. 788. By Mr. Chapman: Petition of H. A. Hamilton, F. Robins and 15 others asking for the passage of the Rairden bill, to repeal the Baker conspiracy law.

Referred to the committee on labor interests.

No. 789. By Mr. Hosford: Petition of Thomas Paine Assembly No. 8086 for the passage of House file 263, providing that corporations shall not engage in the retail mercantile business.

Also,

No. 790: Petition of C. D. Woodman, W. S. Parmenter, Peter Cornell and 40 other citizens and K. of L. of Northville, same subject.

Referred to the committee on private corporations.

No. 791. By Mr. Hosford: Petition of Thomas Payne Assembly No. 8086, of Detroit, for the passage of House file No. 263, carrying into effect the provisions of the constitution providing that corporations shall not hold land more than ten years.

Also,

No. 792: Petition of Wm. McKeand, Fred Parmenter and 38 others; same subject.

Referred to the committee on public lands.

No. 793. By Mr. Baldwin: Petition of Dr. J. Robinson and 37 other K. of L. of Gayland, asking for the passage of Mr. Hosford's bill to carry into effect the provision of the constitution that no corporation shall hold land more than ten years.

Referred to the committee on public lands.

No. 794. By Mr. Baldwin: Petition of Dr. J. Robinson and 37 other K. of L. of Gayland, asking for the passage of Mr. Grenell's bill to preserve the purity of elections and to provide a secret ballot.

Referred to the committee on judiciary.

No. 795. By Mr. Baldwin: Petition of Dr. J. Robson and 37 others of K. of L., asking for the passage of Mr. Ogg's bill to prohibit non-resident aliens from holding land in this State.

Referred to the committee on public lands.

No. 796. By Mr. Baldwin: Petition of Dr. J. Robinson and 37 other K. of L. of Gaylord, asking for the passage of Mr. Breen's bill to forfeit unearned land grants.

Also,

No. 797: Petition of C. C. Mitchell and 37 others asking for the passage of Mr. Grenell's bill making nine hours a legal work-day for women and children.

Referred to the committee on labor interests.

No. 798. By Mr. Baldwin: Petition of Elias H. Merethew and 37 others

of K. of L. asking for the passage of Mr. Dillon's bill for compulsory education of children.

Referred to the committee on education.

No. 799. By Mr. Wellman: Petition of Augus McDonald, John Prunty, Geo. Welsh and 118 others of Fort Gratiot, St. Clair county, asking for the passage of the uniform text book bill.

Referred to the committee on education.

No. 800. By Mr. Chapman: Petition of H. A. Hamilton, F. Robins and 15 others, asking for the passage of Mr. Grenell's bill to preserve the purity of elections and to provide a secret ballot.

Referred to the committee on judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 579, entitled

A bill to amend section 1, of act No. 274 of the session laws of 1875, entitled "An act to incorporate the village of Hancock,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Douglass,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Kirby,	Mr. Robinson, R.,
Allen,	Damon,	Lakey,	Rogers,
Anderson,	Dillon,	Lincoln,	Rounsville,
Ashton,	Dougherty,	Linton,	Stuart,
Baker, S.,	Douglass,	Manly,	Thompson,
Baker, W. A.,	Dunbar,	McCormick,	Tindall,
Bardwell,	Eldred,	McKie,	VanOrtheastwick,
Bates,	Engleman,	McMillan,	Vickary,
Beecher,	Goodrich,	O'Keefe,	Vroman,
Bettinger,	Harper,	Oviatt,	Washburn,
Bentley,	Haskin,	Pardee,	Watts,
Breen,	Hill,	Pierce,	Wellman,
Brock,	Hoaglin,	Powers,	Williams, W. W.
Burr,	Hoobler,	Preston,	Wilson,
Cady,	Houk,	Reader,	Wood,
Case,	Kallander,	Rentz,	Speaker,
Chapell,	Killean,	Robinson, J. W.	

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NAYS.

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Title agreed to.

On motion of Mr. Douglass,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 691, entitled

A bill making an appropriation of State swamp land to aid the townships of Eggleston and Mooreland, in the county of Muskegon, for the purpose of cleaning, dredging and clearing out the south branch of Black Creek, in the township of Eggleston, and also the township and county drains in the township of Mooreland, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 27 (file No. 217), entitled

A bill relative to the confinement of convicted persons in the Detroit house of correction,

And to inform the House that the Senate has amended the same as follows:

1. By inserting in line 3 of section 1, before the word "murder," the word "rape";

2. By inserting in line 4 of section 1, before the word "Detroit," the words "State house of correction and reformatory at Ionia, or the";

3. By inserting in line 8 of section 1, before the word "house," the word "Detroit."

4. By inserting in line 3 of the manuscript proviso, before the word "they," the words "in said Detroit house of correction."

5. By striking out of the manuscript proviso the words "to the county from which they were sentenced or," and inserting after the word "State," the words "if known."

And further to inform the House that the Senate has amended the title to the bill as follows:

By adding to the end thereof the words "and the State house of correction and reformatory at Ionia."

In the passage of which as thus amended and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,
Mr. Webber moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day;

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Webber,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott	Mr. Chapell,	Mr. Kallander,	Mr. Robinson, J.W.
Allen,	Chapman,	Killean,	Robinson, R.,
Anderson,	Crocker,	Kirby,	Rogers,
Ashton,	Damon,	Lakey,	Spencer,
Baker, S.,	Diekema,	Lincoln,	Stuart,
Baker, W. A.,	Dougherty,	Linton,	Thompson,
Baldwin,	Douglass,	Manly,	Van Orthwick,
Bardwell,	Dunbar,	McCormick,	Vickary,
Bates,	Eldred,	McKie, •	Vroman,
Baumgardner,	Engleman,	Ogg,	Washburn,
Beecher,	Goodrich,	O'Keefe,	Watson, H.,
Bettinger,	Harper,	Oviatt,	Watts,
Bentley,	Haskin,	Perkins,	Webber,
Breen,	Herrington,	Pierce,	Wellman,
Brock,	Hill,	Powers,	Wilson,
Burr,	Hoaglin,	Preston,	Wood,
Cady,	Hoobler,	Reader,	Speaker,
Case,	Houk,	Rentz,	71

NAYS.

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

On motion of Mr. Bettinger,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 187 (file No. 127), entitled

A bill to amend section 14, of chapter 196, being compiler's section 5091 of Howell's annotated statutes of Michigan, relative to apportionment of one-mill tax,

And to inform the House that the Senate has amended the same as follows:

By inserting in line 3, section 14, after the word "clerk," where it first

occurs, the following : "who shall report said amount to the director of each school district in his township, or to the director of any fractional school district, a portion of which may be located in said township before the first day of September of each year,"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully

LEWIS M. MILLER,
Secretary of the Senate.

Laid over one day under the rules.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 142 (file No. 165), entitled

A bill to amend sections 21 and 22 of chapter 28 of Howell's annotated statutes of Michigan, being compiler's sections 1262 and 1263, relative to hawkers and peddlers,

And inform the House that the Senate has amended the same as follows: viz. :

1. By striking out section 1, and inserting in lieu thereof the following, to stand as section 1:

SECTION 1. *The People of the State of Michigan enact*, That sections 21 and 22 of chapter 22 of the compiled laws of 1871, being compiler's sections 1262 and 1263 of Howell's annotated statutes of Michigan, relative to hawkers and peddlers, be and the same are amended so as to read follows:

2. By striking out of line 7 of section 21 the words "or magistrate," and striking out of the same line the word "whom" and inserting in lieu thereof the word "which";

3. By inserting in line 3 of section 22 after the word "manufacturer" the word "farmer."

And further to inform the House that the Senate has amended the title to the bill so as to read as follows:

A bill to amend secs. 21 and 22 of chapter 22 of the compiled laws of 1871, being compiler's secs. 1262 and 1263 of Howell's annotated statutes of Michigan relative to hawkers and peddlers.

In the passage of which as thus amended and with the title so amended the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Laid over one day under the rules.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bills :

1. House bill No. 442 (file No. 163), entitled

A bill granting that corporations may be organized, the object of which shall be to unite the reputable pharmacists and druggists of the State of Michigan, for the purpose of improving the science and art of pharmacy, the elevation of its standard and on, by the promot illegitimate means, of the practice of pharmacy among properly qualified persons of that profession.

2. House bill No. 578 (file No. 214), entitled

A bill to prevent the destruction of fish in Pine Lake, lying within the townships of Jefferson and Howard in Cass county,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills:

1. House bill No. 298 (file No. 216), entitled

A bill to provide for the incorporation of lodges of the Ancient Order of United Workmen.

2. House bill No. 55 (file No. 273), entitled

A bill to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic in this State, or the badge of the Loyal Legion of the United States,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 55 (file No. 48), entitled

A bill making an appropriation for the asylum for insane criminals,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on asylum for insane criminals.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following joint resolution: House joint resolution No. 13 (file No. 4), entitled

Joint resolution authorizing and instructing the Secretary of State to furnish the Commissioner of Railroads with certified copies of the articles of association and other papers connected with the corporate organization of railroads, and filed in the office of said Secretary of State under the provisions of general railroad laws,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The joint resolution was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 807 (file No. 283), entitled

A bill to change the several names of Peter Curtis, Clarisse Curtis, Peter Curtis, jr., Eva Curtis, Mari Blanche Curtis, and Sophia Curtis, to Peter Couture, Clarisse Couture, Peter Couture, jr., Eva Couture, Mari Blanche Couture, and Sophia Couture, respectively,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 360 (file No. 154), entitled

A bill to amend section 4907 of the compiled laws of 1871 as amended by act number 45 of the session laws of 1883, relative to the supreme court and the practice therein,

In the passage of which, the Senate has concurred by a majority vote of all

the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 145 (file No. 114), entitled

A bill to detach pieces and parcels of land of section 18 of the township of Lyons and county of Ionia from fractional school district number one of the townships of Lyons and Ionia, and attach the same to school district number ten of the township of Lyons.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

On motion of Mr. Pardee,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 427 (file No. 175), entitled

A bill to provide for an assistant deputy auditor general and fixing his salary,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 815, entitled

A bill to incorporate the village of Hadly in the county of Lapeer and State of Michigan,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to inform the House relative to the following bill:
Senate bill No. 42 (file No. 22), entitled

A bill in relation to jurors in courts of record in the county of Wayne, and to revise the laws relative thereto,

Concerning which there is a difference existing between the two houses, upon which difference a committee of conference has been ordered,

That Senators J. W. Babcock, Sharp and Wisner have been appointed as such committee on the part of the Senate.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The message was laid upon the table.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following concurrent resolution:

Resolved by the House (the Senate concurring), That the Secretary of State be and he is hereby instructed to have the public acts of the session of 1883 re-printed for sale and further distributed to the number of one thousand copies,

In the adoption of which the Senate has concurred.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The concurrent resolution was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:
Senate bill No. 271 (file No. 179), entitled

A bill to protect electors who cannot read from fraud and deception at the polls,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on elections.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 154 (file No. 68), entitled

A bill to make possession of game or fish out of season *prima facie* evidence of the violation of the laws protecting the same,

And to inform the House that the Senate has amended the same so as to read as follows:

SECTION 1. *The People of the State of Michigan enact*, That in all prosecutions for the violation of any of the laws for the protection and preservation of game and fish, proof of the possession of any such game or fish, or of the skin, carcass or any portion of the skin or carcass of such game or fish at any time when the killing, taking or having in possession any of such game or fish is by law prohibited, shall be *prima facie* evidence of a violation of the law by the person or persons in whose possession the same shall have been found,

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Lakey moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day;

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Lakey,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Allen,
Ashton,
Baker, S.,
Baker, W. A.,
Baldwin,

Mr. Damon,
Dillon,
Dougherty,
Dunbar,
Eldred,
Engleman,

Mr. Lakey,
Linton,
Manly,
McCormick,
McKie,
Ogg,

Mr. Rounsville,
Spencer,
Stuart,
Thompson,
Tindall,
VanOrthwick,

Mr. Bardwell,	Mr. Goodrich,	Mr. Pardee,	Mr. Vickary,
Baumgardner,	Harper,	Perkins,	Vroman,
Bettinger,	Herrington,	Pierce,	Washburn,
Breen,	Hill,	Powers,	Watson, F.H.,
Brock,	Hoobler,	Preston,	Watson, H.
Burr,	Houk,	Reader,	Watts,
Cady,	Kallander,	Rentz,	Webber,
Case,	Kelly,	Robinson, J. W.	Wood,
Cole,	Killeen,	Robinson, R.,	Speaker,
Crocker,	Kirby,		

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NAYS.

Mr. Wilson.

1

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following;

SENATE CHAMBER. }
Lansing, April 12, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bills :

1. Senate bill No. 365 (file No. 182), entitled

A bill to provide for the care and maintenance of indigent insane persons in private asylums within the State,

2. Senate bill No. 350 (file No. 183), entitled,

A bill to amend section 37 of act number 135 of the session laws of 1885, approved June 3, 1885, entitled "An act to amend, revise and consolidate the laws organizing asylums for the insane, and regulating the care and management thereof, and of the inmates therein, and to repeal act 164, laws of 1859; also act 194, laws of 1877; also act 91, laws of 1873, and the acts amendatory thereto; also act 172, laws of 1873,"

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committees on the several insane asylums, jointly.

THIRD READING OF BILLS.

House bill No. 26 (file No. 4), entitled

A bill to regulate the uniformity of text books in public schools throughout the State and the distribution of the same, and to repeal all statutes and acts contravening the provisions of this act,

Was read a third time, and pending the taking of the vote on the passage thereof.

Mr. Damon moved to amend the bill by striking out in line 25, rule 4, and following, the words "when and where said book can be obtained and the price to be paid, immediately on the receipt of such notice the president or director shall, without delay, draw his warrant on the said treasurer or assessor for the amount of money necessary to comply with the conditions of this act. The president or director in the distribution of said books shall collect from the parties to whom the books are delivered the net cost of said books, and shall pay the moneys so received to the treasurer of said board or the assessor of said district, who shall place the same to the credit of the fund from which it was drawn,"

Which motion did not prevail, two-thirds of all the members present not voting therefor.

Mr. Spencer moved to amend the bill by striking out all of sixth subdivision after the word "paid" in line 26,

Pending which,

On motion of Mr. Diekema,

The bill was laid upon the table.

On motion of Mr. Diekema,

The House took a recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

The House resumed the order of

THIRD READING OF BILLS.

Mr. Dickema moved to take from the table

House bill No. 26 (file No. 4), entitled

A bill to regulate the uniformity of text books in public schools throughout the State, and the distribution of the same, and to repeal all statutes and acts controvening the provisions of this act,

Which motion prevailed.

The pending question being on amending the bill by striking out all of the sixth subdivision after the word "paid" in line 26,

The motion did not prevail, two-thirds of all the members present not voting therefor.

Mr. Killen moved to amend the bill by adding at the end thereof the words, "Nothing in this act shall be construed so as to apply to the city of Grand Rapids."

Mr. McMillan moved to amend the amendment by striking out the words "city of Grand Rapids," and inserting in lieu thereof the words "county of Kent,"

Which was accepted.

The motion to amend did not then prevail, two-thirds of all the members present not voting therefor.

Mr. Lakey moved to amend the bill by adding at the end thereof the words, "Nothing in this act shall be so constructed as to apply to the counties of Kent and Kalamazoo,"

Which motion did not prevail, two-thirds of the members present not voting therefor.

Mr. Stuart moved to amend the bill by adding at the end thereof the words " *Provided*, that nothing in this act shall be construed to apply to Wayne county,"

Which motion did not prevail, two-thirds of all the members present not voting therefor.

Mr. Haskin moved to amend the bill by adding thereto the words: " *Provided*, That this act shall not apply to Lapeer, Kent, Kalamazoo and Wayne counties,"

Mr. Rounsiville moved to amend the amendment by adding thereto the words "Livingston and Genessee counties,"

Which was not agreed to.

The motion to amend did not then prevail, two-thirds of all the members present not voting therefor.

Mr. Manly moved to amend the bill by striking out at the end of the sixth subdivision, the words "Provided, that each county may have the opportunity of voting thereon before complying with this act,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then not passed, a majority of all the members elect not voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Goodrich,	Mr. Manly,	Mr. Tindall,
Ashton,	Harper,	Mulvey,	Vickary,
Baker, W. A.,	Herrington,	Oviatt,	Washburn,
Baumgardner,	Hill,	Pardee,	Watts,
Breen,	Hoaglin,	Powers,	Webber,
Burr,	Hoobler,	Reader,	Wellman,
Dakin,	Jones,	Robinson, J. W.	Williams, T. H.
Eldred,	Lincoln,	Robinson, R.,	Wilson,
Engleman,	Makelim,	Spencer,	Wood, 36

NAYS.

Mr. Allen,	Mr. Cole,	Mr. Killeen,	Mr. Rogers,
Baker, S.,	Damon,	Kirby,	Rounsiville,
Baldwin,	Diekema,	Lakey,	Rumsey,
Bardwell,	Dillon,	Linton,	Simpson,
Beecher,	Dunbar,	McKie,	Stuart,
Bentley,	Haskin,	McMillan,	VanOrthwick,
Brock,	Houk,	Ogg,	Vroman,
Case,	Hunt,	Perkins,	Watson, F. H.,
Chapell,	Kallender,	Pierce,	Watson, H.
Chapman,	Kelley,	Preston,	Williams, W. W.

Mr. Diekema moved to reconsider the vote by which the House refused to pass the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Manly,

The bill was laid upon the table.

The Speaker called the Speaker *pro tem.* to the chair.

House bill No. 645 (file No. 233), entitled

A bill to amend section 3 of chapter 4 of act number 227, of the public acts of 1885, entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto,"

Was read a third time, and pending the taking the vote on the passage thereof,

Mr. Dunbar moved to amend the bill by adding at the end thereof the words:

"Provided that all tile drains shall be exempted from the provisions of this act,"

Which motion did not prevail, two-thirds of all the members present not voting therefor.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Lakey,	Mr. Rumsey,
Ashton,	Cole,	Lincoln,	Spencer,
Baker, W. A.,	Damon,	Makelim,	Vickary,
Baldwin,	Dillon,	McMillan,	Vroman,
Bardwell,	Dougherty,	Mulvey,	Washburn,
Baumgardner,	Herrington,	Ogg,	Watson, F. H.,
Beecher,	Hoobler,	Oviatt,	Watson, H. C.,
Bentley,	Houk,	Pardee,	Watts,
Breen,	Hunt,	Pierce,	Webber,
Burr,	Kallander,	Reader,	Wellman,
Case,	Killean,	Robinson, R.,	Wood, 44

NAYS.

Mr. Allen,	Mr. Haskin,	Mr. McKie,	Mr. Simpson,
Diekema,	Hill,	Powers,	Tindall,
Dunbar,	Hoaglin,	Preston,	VanOrthwick,
Eldred,	Kirby,	Robinson, J. W.	Speaker
Goodrich,	Linton,	Rounsville,	<i>pro tem.</i> 21
Harper,	Manly,		

Mr. Rounsville moved to reconsider the vote by which the House refused to pass the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Rounsville,

The bill was laid on the table.

The Speaker resumed the chair.

House bill No. 5 (file No. 152), entitled

A bill to provide for the purchase of land and the erection of buildings for the use and benefit of the Eastern Michigan Asylum, and to make payment for the same out of the surplus moneys in the hands of the treasurer of said asylum,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Lakey,	Mr. Rounsville,
Allen,	Dougherty,	Lincoln,	Rumsey,
Ashton,	Douglass,	Linton,	Simpson,
Baker, S.,	Engleman,	Makelim,	Spencer,
Baker, W. A.,	Goodrich,	Manly,	Stuart,
Baldwin,	Harper,	McKie,	Tindall,
Bardwell,	Haskin,	McMillan,	VanOrthwick,
Baumgardner,	Herrington,	Mulvey,	Vickary,
Beecher,	Hill,	Oviatt,	Vroman,
Bentley,	Holt,	Perkins,	Washburn,
Breen,	Hoobler,	Pierce,	Watson, F. H.
Brock,	Houk,	Powers,	Wellman,
Case,	Kallandar,	Preston,	Wilson,
Chapman,	Kelley,	Robinson, W.J.	Wood,
Damon,	Killean,	Robinson, R.,	Speaker,
Diekema,	Kirby,		

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NAYS.

Mr. Cole,	Mr. Eldred,	Mr. Watson, H.	Mr. Watts,
Dunbar,			

5

Title agreed to.

On motion of Mr. Herrington,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Diekema,

The House took up

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 409, entitled

A bill to amend act No. 307 of the session laws of 1885, being "An act to revise and amend the charter of the city of West Bay City and to repeal all acts and parts of acts in conflict therewith," by amending sections one and three of title one defining the boundaries and providing for a new ward therein to be numbered sixth ward, and by adding a new section thereto to be numbered section four, and by amending section eight of title three, sections 8, 17, 22, 23 and 43 of title V, entire title XI, by substituting a new title therefor, to stand as title XI, section 3, and the title of title XII, section 3 of title XIII, section 12 of title XIV, of an act entitled and act to revise and amend the charter of

West Bay City, and to repeal all acts and parts of acts in conflict therewith, being act No. 307 of the session laws of 1885, approved April 1st, 1885, and to add a new title thereto, containing sections 1 to 8, inclusive, to stand as act XVIII thereof.

2. House bill No. 572 (file No. 290), entitled

A bill to amend sections 1, 3, 5, 7, 8, 15, 19, 32, 69, 84, 95, 98, and 104 of an act entitled "An act to revise an act to incorporate the city of Bay City," approved March 30, 1885, as amended and revised by the several acts amendatory and revisionary thereof, and to add twenty-three new sections thereto to stand as sections 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, and 171, and to repeal sections 90 and 101 of said act,

3. House bill No. 349 (file No. 202), entitled

A bill to amend section 7, of act No. 254 of the session laws of 1869, entitled "An act to incorporate the village of Burlington," approved March 8, 1869.

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The three named bills were referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 13, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 231, entitled

A bill to provide for the ceding to the United States exclusive jurisdiction over the site and grounds in the township of L'Anse, county of Barraga, selected for the erection of a government school house, to be used for the Indians or for other purposes except the administration of the criminal laws of the State of Michigan, and the service of civil process therein,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title, and pending its reference to a committee,

On motion of Mr. Diekema,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Hunt,	Mr. Reader,
Allen,	Dillon,	Kallander,	Robinson, R.,
Ashton,	Dougherty,	Killean,	Rogers,
Baker, S.,	Douglass,	Kirby,	Rumsey,
Baker W. A.,	Dunbar,	Lakey,	Spencer,
Baldwin,	Eldred,	Manley,	Stuart,
Bardwell,	Engleman,	McKie,	Tindall,
Bates,	Goodrich,	McMillan,	Van Orthwick,
Baumgardner,	Harper,	Mulvey,	Vickary,
Beecher,	Haskin,	Ogg,	Vroman,
Bentley,	Herrington,	Oviatt,	Watson, F. H.,
Breen,	Hill,	Pardee,	Watts,
Burr,	Hoaglin,	Perkins,	Webber,
Case,	Holt,	Pierce,	Wellman,
Chapman,	Hoobler,	Powers,	Wood,
Cole,	Houk,	Preston,	Speaker.
Damon,			

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NAYS.

0

Title agreed to.

On motion of Mr. Diekema,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 865 (file No. 194), entitled,

A bill to provide for the formation of corporations for storing and trucking.

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Bates,

The bill was laid on the table.

Senate bill No. 191 (file No. 69), entitled

A bill to require prosecuting attorneys to appear and conduct criminal proceedings in the Supreme Court in certain cases, and to provide for the payment of extra compensation therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Houk,	Mr. Reader,
Allen,	Diekema,	Hunt,	Robinson, J. W.
Ashton,	Dillon,	Killean,	Rogers,
Baker, S.,	Dougherty,	Kirby,	Rounsville,
Baldwin,	Douglass,	Lakey,	Rumsey,
Bates,	Dunbar,	Linclon,	Simpson,
Baumgardner,	Engleman,	Manly,	Spencer,
Beecher,	Goodrich,	McMillan,	Van Orthwick,
Bettinger,	Harper,	Mulvey,	Vickary,

Mr. Bentley,	Mr. Haskin,	Mr. Ogg,	Mr. Washburn,
Breen,	Herrington,	Oviatt,	Watson, F. H.,
Burr,	Hill,	Perkins,	Watson, H.,
Case,	Holt,	Powers,	Wellman,
Cole,	Hoobler,	Preston,	Speaker, 56

NAYS.

Mr. Eldred,	Mr. Pardee,	Mr. Tindall,	Mr. Webber,
Hoaglin,	Stuart,	Watts,	Williams, T.H.

8

Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 637 (file No. 208), entitled

A bill to amend an act entitled "An act to secure the minority of stockholders in corporations organized under general laws, the power of electing a representative membership in boards of directors, by excepting clubs formed for social, yachting, hunting, boating, fishing, and rowing purposes,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Diekema,

The bill was laid on the table.

House bill No. 741 (file No. 259), entitled

A bill to amend section 6626 of Howell's annotated statutes, being section 5072 of the compiled laws of 1871, relative to courts of chancery,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Case,	Mr. Holt,	Mr. Rogers,
Allen,	Chapman,	Hoobler,	Rounsville,
Ashton,	Cole,	Houk,	Rumsey,
Baker, S.,	Damon,	Hunt,	Simpson,
Baker, W. A.,	Diekema,	Kallender,	Spencer,
Baldwin,	Dougherty,	Killean,	Stuart,
Bardwell,	Douglass,	Kirby,	Van Orthwick,
Bates,	Eldred,	Lakey,	Vroman,
Baumgardner,	Engleman,	Lincoln,	Washburn,
Beecher,	Goodrich,	Manly,	Watson, F. H.,
Bettinger,	Harper,	McMillan,	Watson, H.,
Bentley,	Haskin,	Oviatt,	Webber,
Breen,	Herrington,	Pierce,	Wellman,
Brock,	Hill,	Powers,	Wood,
Burr,	Hoaglin,	Reader,	Speaker, 60

NAYS.

Mr. Dunbar, Mr. Watts,

2

Title agreed to.

House bill No. 241 (file No. 446), entitled

A bill making an appropriation for the current expenses of the Michigan Soldiers' Home, and other expenses necessary to the maintenance and improvement thereof for the years 1887 and 1888,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Spencer moved to amend the bill by striking out in line 20, section 2, the words "one thousand two," and inserting the words "four hundred" in lieu thereof,

Which motion did not prevail, two-thirds of all the members present not voting therefor.

Mr. Allen moved to amend the bill by striking out in line 22, section 2, the words "twenty nine thousand two hundred and sixty-five," and inserting the words "twenty-five thousand" in lieu thereof,

Which motion did not prevail, two-thirds of all the members present not voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Hunt,	Mr. Rounsville,
Allen,	Cole,	Kallendar,	Rumsey,
Ashton,	Damon,	Killeen,	Simpson,
Baker, S.,	Diekema,	Kirby,	Stuart,
Baker, W. A.,	Dillon,	Lakey,	Tindall,
Baldwin,	Dougherty,	Lincoln,	VanOrthwick,
Bardwell,	Douglass,	Manly,	Vickary,
Bates,	Dunbar,	McKie,	Washburn,
Baumgardner,	Engleman,	McMillan,	Watson, F. H.
Beecher,	Goodrich,	Mulvey,	Watson H.
Bettinger,	Harper,	Ogg,	Webber,
Bentley,	Haskin,	Oviatt,	Wellman,
Breen,	Herrington,	Pierce,	Williams, T. H.
Brock,	Hoaglin,	Reader,	Williams, W. W.
Burr,	Holt,	Robinson, J. W.	Wood,
Case,	Houk,	Rogers,	Speaker, 64

NAYS.

Mr. Spencer, Mr. Vroman, 2

Title agreed to.

On motion of Mr. Rumsey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 561 (file No. 286), entitled

A bill to authorize the committees of the Legislature on the several State institutions to visit them during the recess of the Legislature, and requiring them to report their observation in writing to the succeeding Legislature,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Lakey moved to amend the bill by striking out all of section 2,

Which was withdrawn.

Mr. Diekema moved that the enacting words of the bill be stricken out, Which motion did not prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Baumgardner,	Mr. Damon,	Mr. Houk,	Mr. Stuart,
Breen,	Douglass,	Lincoln,	Vroman;
Brock,	Engleman,	Ogg,	Washburn,
Case,	Harper,	Preston,	Watson, H.,
Cole,	Haskin,	Reader,	Wellman,
Dakin,	Hosford,	Spencer,	23

NAYS.

Mr. Abbott,	Mr. Dillon,	Mr. Manly,	Mr. Tindall,
Allen,	Dougherty,	McKie,	Van Orthwick,
Ashton,	Dunbar,	Pardee,	Vickary,
Baker, W. A.	Herrington,	Pierce,	Watson, F. H.
Bardwell,	Hunt,	Powers,	Williams, W. W.
Bentley,	Kallender,	Robinson, R.,	Wilson,
Burr,	Kelly,	Rumsey,	Wood,
Chapman,	Killean,	Simpson,	Speaker,
Diekema,	Kirby,		34

House bill No. 333 (file No. 287), entitled

A bill to amend section 4 of chapter 12 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, and being act No. 326 of the session laws of 1883,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Ogg,

The bill was laid on the table.

House bill No. 398 (file No. 288), entitled

A bill to amend section 2 of chapter 4 of act No. 326 of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, as amended by act approved June 10, 1885,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Damon,	Mr. Killean,	Mr. Simpson,
Baker, W. A.,	Dillon,	Kirby,	Spencer,
Baldwin,	Dunbar,	Lincoln,	Thompson,
Bardwell,	Eldred,	Linton,	Tindall,
Bates,	Engleman,	Manly,	Van Orthwick,
Baumgardner,	Goodrich,	McKie,	Vickary,
Beecher,	Harper,	Ogg,	Vroman,
Bettinger,	Haskin,	Pardee,	Washburn,
Bentley,	Herrington,	Pierce,	Watson, F. H.,
Breen,	Hoaglin,	Powers,	Watts,

Mr. Brock, Burr, Chapell, Dakin,	Mr. Hosford, Hunt, Kallender, Kelley,	Mr. Preston, Reader, Robinson, J. W Robinson, R.,	Mr. Wellman, Wilson, Wood, Speaker,	56
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NAYS

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Title agreed to.

On motion of Mr. Hosford,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 143 (file No. 291), entitled

A bill to change the name of Edwin N. Chapman to Edwin N. Brown,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen, Baker, S., Baker, W. A., Baldwin, Bardwell, Bates, Baumgardner, Beecher, Bettinger, Bentley, Breen, Brock, Burr, Case, Chapell, Chapman, Cole, Dakin,	Mr. Damon, Diekema, . Dillon, Dougherty, Douglass Dunbar, Eldred, Engleman, Goodrich, Harper, Haskin, Herrington, Hoaglin, Hosford, Hunt, Kallander, Kelley, Killean,	Mr. Kirby, Lincoln, Linton, Manly, McKee, Ogg, Oviatt, Pardee, Pierce, Powers, Preston, Reader, Robinson, J. W Robinson, R. Rogers, Rumsey, Simpson,	Mr. Spencer, Stuart, Thompson, Tindall, Van Orthwick, Vickary, Vroman, Washburn, Watson, F. H., Watson, H., Watts, Webber, Wellman, Williams, T. H. Wilson, Wood, Speaker,	70
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NAYS

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Title agreed to.

On motion of Mr. Chapman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 257 (file No. 292), entitled

A bill to provide for the furnishing to the probate court of each organized county in this State with a full set of the reports of the supreme court of the State of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott, Anderson, Ashton,	Mr. Chapell, Chapman, Cole,	Mr. Hoaglin, Houk, Hunt,	Mr. Powers, Preston, Reader,
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Mr. Baker, S.,	Mr. Dakin,	Mr. Kallander,	Mr. Robinson, R.,
Baker, W. A.,	Damon,	Kelley,	Rumsey,
Baldwin,	Diekema,	Killean,	Simpson,
Bardwell,	Dillon,	Kirby,	Spencer,
Bates,	Dougherty,	Lincoln,	Thompson,
Baumgardner,	Douglass,	Manly,	Tindall,
Beecher,	Dunbar,	McKie,	Van Orthwick,
Bettinger,	Eldred,	Ogg,	Vroman,
Bentley,	Engleman,	Oviatt,	Watson, H.,
Breen,	Harper,	Pardee,	Watts,
Brock,	Haskin,	Perkins,	Wellman,
Burr,	Herrington,	Pierce,	Speaker,
Case,			

61

NAYS.

Mr. Webber,	1
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Title agreed to.

On motion of Mr. Herrington,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 108 (file No. 294), entitled

A bill to provide for the garnishment of executors and administrators,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dakin,	Mr. Kelly,	Mr. Simpson,
Ashton,	Damon,	Killean,	Spencer,
Baker, S.,	Diekema,	Kirby,	Stuart,
Baker, W. A.,	Dougherty,	Lincoln,	Thompson,
Baldwin,	Douglass,	Manly,	Tindall,
Bates,	Dunbar,	Ogg,	VanOrthwick,
Baumgardner,	Eldred,	Pardee,	Vroman,
Beecher,	Engleman,	Perkins,	Washburn,
Bettinger,	Goodrich,	Pierce,	Watson, F. H.,
Bentley,	Harper,	Powers,	Watson, H,
Breen,	Haskin,	Preston,	Watts,
Brock,	Herrington,	Reader,	Webber,
Burr,	Hill,	Robinson, R.,	Williams, W. W.
Chapell,	Houk,	Rounsville,	Wilson,
Chapman,	Hunt,	Rumsey,	Wood,
Cole,	Kallander,		

62

NAYS.

Mr. Anderson,	1
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Title agreed to.

House bill No. 450 (file No. 226), entitled

A bill to legalize the proceedings had in laying out and completing a certain ditch or drain in the township of Leroy, in the county of Ingham, and to equalize the tax therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Cole	Mr. Lincoln,	Mr. Stuart,
Anderson,	Dakin,	Ogg,	Thompson,
Ashton,	Damon,	Oviatt,	Van Orthwick,
Baker, S.,	Dillon,	Pardee,	Vickary,
Baker W. A.,	Dunbar,	Perkins,	Vroman,
Baldwin,	Eldred,	Pettit,	Washburn,
Bardwell,	Engleman,	Powers,	Watson, F. H.,
Bates,	Goodrich,	Preston,	Watson, H.,
Baumgardner,	Haskin,	Reader,	Watts,
Beecher,	Hill,	Robinson, J. W.	Webber,
Bettinger,	Houk,	Robinson, R.,	Wellman,
Bentley,	Hunt,	Rounsville,	Williams, T. H.
Breen,	Kallander,	Rumsey,	Williams, W. W.
Brock,	Kelley,	Simpson,	Wood,
Burr,	Killean,	Spencer,	Speaker,
Chapell,	Kirby,		63

NAYS.

Mr. Harper, 1

Title agreed to.

On motion of Mr. Rumsey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 792 (file No. 196), entitled

A bill to amend section 3 of chapter 7 of Howell's annotated statutes, being compiler's section 1381,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Allen,	Mr. Chapell,	Mr. Kelly,	Mr. Rumsey,
Anderson,	Chapman,	Killean,	Simpson,
Ashton,	Cole,	Kirby,	Spencer,
Baker, S.,	Dakin,	Manly,	Stewart,
Baker, W. A.,	Damon,	Ogg,	Thompson,
Bardwell,	Dougherty,	Oviatt,	Tindall,
Bates,	Dunbar,	Pardee,	Van Orthwick,
Baumgardner,	Eldred,	Perkins,	Vickary,
Beecher,	Engleman,	Pierce,	Vroman,
Bettinger,	Goodrich,	Powers,	Washburn,
Bentley,	Haskin,	Preston,	Watson, H.,
Breen,	Hill,	Reader,	Watts,
Brock,	Hosford,	Robinson, J. W.	Wellman,
Burr,	Hunt,	Robinson, R.,	Wilson,
Case,	Kallander,	Rounsville,	Wood,
			60

NAYS.

Mr. Webber, 1
The question being on agreeing to the title,

Mr. Hill moved to amend the title so as to read as follows :

A bill to amend section 3 of chapter 1 of act No. 243 of the session laws of 1881 as amended by act No. 56 of the session laws of 1883, being an act to revise and consolidate the laws relating to the establishment, opening, improvement and maintainance of highways and private roads, and the building, repairing and preservation of bridges within this State,

Which motion prevailed.

The title as amended was then agreed to.

Mr. Hosford moved to take from the table

House bill No 637 (file No. 208), entitled

A bill to amend an act entitled An act to secure the minority of stockholders in corporations organized under general laws, the power of electing a representative membership in boards of directors, by excepting clubs formed for social, yachting, hunting, boating, fishing, and rowing purposes,

Which motion prevailed.

On motion of Mr. Hosford,

The bill was put upon its immediate passage.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Anderson,	Mr. Dougherty,	Mr. Linton,	Mr. Thompson,
Baker, S.,	Douglass,	Manly,	Tindall,
Baker. W. A.,	Dunbar,	McKie,	Vickary,
Bardwell,	Eldred,	Ogg,	Vroman,
Bates,	Engleman,	Pardee,	Washburn,
Beecher,	Goodrich,	Perkins,	Watson, H.,
Bettinger,	Harper,	Powers,	Watts,
Bentley,	Hill,	Reader,	Webber,
Breen,	Hoaglin,	Robinson, J. W.,	Wellman,
Burr,	Hosford,	Robinson, R.,	Williams, W. W.
Chapell,	Hunt,	Rumsey,	Wilson,
Cole,	Kallander,	Spencer,	Wood,
Damon,	Killean,	Stuart,	Speaker,
Diekema,	Kirby,		

54

NAYS.

Mr. Allen, Mr. Kelley, Mr. Preston, Mr. Simpson, 4

The question being on agreeing to the title,

Mr. Hosford moved to amend the title by striking out the words "an act" after the word "amend," and inserting the words "section one of act No. 112 of the public acts of 1885,"

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Hosford,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 341 (file No. 298), entitled,

A bill to amend section 15, of chapter 3, of an act entitled, "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act,"

being act number 164 of session laws of 1881, as amended by act number 93 of session laws of 1883,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Brock,	Mr. Haskin,	Mr. Spencer,
Anderson,	Burr,	Hill,	Stuart,
Ashton,	Case,	Kallander,	Thompson,
Baker, W. A.	Chapman,	Killeen,	Tindall,
Baldwin,	Cole,	Kirby,	Watson, H.,
Bardwell,	Dakin,	Ogg,	Wellman,
Bates,	Damon,	Oviatt,	Williams, W. W.
Baumgardner,	Diekema,	Reader,	Wood,
Beecher,	Dillon,	Rounsville,	Speaker.
Breen,	Dougherty,		

38

NAYS.

Mr. Baker, S.,	Mr. Hoaglin,	Mr. McKie,	Mr. Vickary,
Bentley,	Hosford,	Pardee,	Vroman,
Chapell,	Hunt,	Powers,	Washburn,
Dunbar,	Kelley,	Preston,	Watts,
Eldred,	Lincoln	Robinson, J. W.	Webber,
Harper,	Manly,	Simpson,	Williams, T. H.
Herrington,			

25

Mr. Herrington moved to reconsider the vote by which the House refused to pass the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Herrington,

The bill was laid on the table.

House bill No. 518 (file No. 178), entitled,

A bill to provide for the registration of physicians and surgeons and to protect the people of the State of Michigan from empiricism and quackery and to repeal act No. 167 of the session laws of 1883, entitled "An act to promote public health,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Baumgardner moved to amend the bill by striking out in line 1 sec. 12 the words "or without",

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. W. A. Baker moved to amend the bill by striking out in line 1 sec. 12 the words "with drugs."

Mr. Diekema moved to amend the amendment by also striking out the words "or person."

Which was agreed to.

The amendment as amended was then adopted, two-thirds of all the members present voting therefor.

Mr. S. Baker moved to amend the bill by adding at the end of sec. 2 the

words "not more than two of whom shall be members of any one school of medicine,"

Mr. Hoaglin moved to amend the amendment by adding thereto the following:

"And the examiners in the several branches shall not be members of any medical college."

Which was accepted.

The motion to amend did not then prevail, two-thirds of all the members present not voting therefor.

Mr. S. Baker then presented his original amendment again, as follows: Add at the end of Sec. 2, the words "not more than two of whom shall be members of any one school of medicine,"

Which amendment was agreed to, two-thirds of all the members present voting therefor.

Mr. S. Baker moved to amend the bill by striking out in lines 2 and 3 section 11, the words "by any other system heretofore named;" also, by striking out in lines 7 and 8 the words "with such other title as correctly represents his or her system,"

Which motion did not prevail, two-thirds of all the members present not voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Kelley,	Mr. Reader,
Ashton,	Dillon,	Killean,	Robinson, J. W.
Baker, W. A.,	Dougherty,	Kirby,	Robinson, R.,
Baldwin,	Engleman,	Lakey,	Simpson,
Bardwell,	Goodrich,	Linton,	Stuart,
Baumgardner,	Harper,	Makelim,	Thompson,
Beecher,	Haskin,	Manly,	Tindall,
Bettinger,	Herrington,	McKie,	Vickary,
Brock,	Hill,	Ogg,	Watson, F. H.
Case,	Hoobler,	O'Keefe,	Watson, H.
Chapell,	Hosford,	Pardee,	Webber,
Chapman,	Houk,	Perkins,	Wellman,
Crocker,	Hunt,	Pierce,	Williams, W. W.
Damon,	Kallander,	Powers,	Wilson, 56

NAYS.

Mr. Anderson,	Mr. Burr,	Mr. Dunbar,	Mr. Washburn,
Baker, S.	Cole,	Spencer,	Watts, 11
Bates,	Dakin,	VanOrthwick,	
Title agreed to.			
On motion of Mr. Haskin,			
The House took up			

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to transmit to the House the following concurrent resolution:

WHEREAS, The edition of the Legislative manual for 1887, issued in conformity to law, is inadequate to supply the demand therefor;

Be it resolved by the Senate (the House concurring), That the Secretary of State be instructed to have a second edition of 1,500 copies printed at as early a date as practicable, the same to be held for sale at a price sufficient to cover the cost thereof,

Which has been adopted by the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The question being on concurring in the adoption of the resolution,
The resolution was adopted.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 13, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 475, entitled

A bill to legalize an ordinance to prescribe certain fire limits in the village of Imlay City, Lapeer county, and to provide penalties for the violation thereof,

And to inform the House that the Senate has amended the same as follows:

By inserting after the word "respect," in line 7, section 1, the following proviso:

Provided, That the words "shall be deemed guilty of a misdemeanor and" in section 5 of said ordinance shall be deemed inoperative and void,

In the passage of which, as amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Haskin moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Haskin,

The House concurred, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dougherty,	Mr. Lakey,	Mr. Spencer,
Anderson,	Dunbar,	Makelim,	Stuart,
Baker, S.,	Eldred,	Manly,	Thompson,
Baker, W., A.,	Engleman,	McCormick,	Tindall,
Baldwin,	Goodrich,	McKie,	VanOrthwick,
Bates,	Harper,	Ogg,	Vickary,
Baumgardner,	Haskin,	O'Keefe,	Vroman,
Beecher,	Herrington,	Oviatt,	Washburn,
Bettinger,	Hill,	Pardee,	Watson, F. H.,
Bentley,	Hoobler,	Perkins,	Watson, H.,
Breen,	Hosford,	Pierce,	Watts,
Brock.	Houk,	Powers,	Webber,
Burr,	Hunt,	Reader,	Wellman,
Case,	Jones,	Robinson, J.W.	Williams, T.H.
Chapell,	Kallander,	Robinson, R.,	Williams, W.W
Chapman,	Kelley,	Rouns ville,	Wilson,
Cole,	Killean,	Rumsey,	Wood,
Damon,	Kirby,	Simpson,	Speaker,
Dillon,			73

NAYS.

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

Mr. Lakey moved to take from the table

House bill No. 816, entitled

A bill to authorize the city of Kalamazoo to purchase grounds, erect buildings thereon, and maintain a city hospital,

Which motion prevailed.

On motion of Mr. Lakey,

The bill was referred to the committee on municipal corporations.

On motion of Mr. Vickary,

The House adjourned.

Lansing, Thursday, April 14, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Franklin.

Roll called: quorum present.

Absent without leave; Messrs. Kallander, Kirby, Lakey and O'Keefe.

On motion of Mr. Dakin,

Leave of absence was granted to Mr. Linton for the day.

On motion of Mr. W. A. Baker,

Leave of absence was granted to Mr. Kirby for the day.

On motion of Mr. Hill,

Leave of absence was granted to Mr. Kallander for the day.

Mr. H. Watson moved to reconsider the vote by which the house concurred in the adoption of the following resolution:

WHEREAS, The edition of the Legislative manual for 1887, issued in conformity to law, is inadequate to supply the demand therefor;

Be it resolved by the Senate (the House concurring), That the Secretary of State be instructed to have a second edition of 1,500 copies printed at as early a date as practicable, the same to be held for sale for a price sufficient to cover the cost thereof,

Which motion prevailed.

The question being on concurring in the adoption of the resolution,

On motion of Mr. H. Watson,

The resolution was laid on the table.

PRESENTATION OF PETITIONS.

No. 801. By Mr. Perkins: Petition of Herbert S. Solomon, A. G. Pennell and numerous others, praying for legislation in favor of purity of the ballot.

Referred to the committee on judiciary.

No. 802. By Mr. Perkins: Petition of B. R. Townly, L. B. Curtis and numerous others asking for the passage of the labor bills now before the Legislature.

Referred to the committee on labor interests.

No. 803. By Mr. Oviatt: Petition of Chase Local Assembly No. 5318, praying for the passage of various labor bills now pending before the Legislature.

Referred to the committee on labor interests.

No. 804. By Mr. Anderson: Petition of Chas. W. Fox, H. Warren and 75 others, relative to the passage of House bill No. 358, entitled "A bill to prohibit the use of scrip or store orders in payment of wages of laborers in mines, mills, shops and factories."

Referred to the committee on labor interests.

No. 805. By Mr. Anderson: Petition of A. J. Ewing and numerous others, asking for the passage of Senate bill No. 141, by Senator Holbrook.

On demand of Mr. Anderson,

The petition was read at length and spread at large on the journal, as follows:

To the Honorable the Senators and Representatives in the Legislature of the State of Michigan :

The undersigned, citizens of Michigan and members of the order of Knights of Labor, petition your honorable body to secure the enactment into a law of a bill recently introduced by Senator Holbrook, and known as Senate bill No. 141.

Referred to the committee on labor interests.

No. 806. By Mr. Van Orthwick: Petition of C. W. Bennett and numerous others, asking for the passage of Cole's insurance bill.

On demand of Mr. VanOrthwick,

The petition was read at length, and spread at large on the journal, as follows:

To the Honorable the Legislature of Michigan :

The undersigned, business men of Quincy, Mich., respectfully request you to pass the Cole bill No. 291, or some similar measure, to relieve us from the stringent and complete monopoly of fire and marine insurance, caused by the combination of companies and local "boards" in this State.

Referred to the committee on State affairs.

No. 807. By Mr. Baumgardner: Petitions of K. of L, asking for the passage of several labor bills.

On demand of Mr. Baumgardner,

The petitions was read at length and spread on the journal, as follows :

To the Honorable the Senate and House of Representatives of the Legislature of the State of Michigan :

We, the undersigned citizens of Bear Lake, State of Michigan, and members of the Knights of Labor, petition your honorable body to secure the enactment into a law of the following named bills, viz:

The Dillon bill, to provide for compulsory education of children.

Breen bill, forfeiting unearned land grants.

Breen bill, to provide for mine inspectors.

Grenell bill, making general election days legal hollidays.

Grenell bill, to preserve the purity of elections and to provide a secret ballot.

Grenell bill, making nine hours a legal work day for women and children.

Grenell bill, to prohibit the employment of aliens by corporations.

Holbrook bill, to protect workmen against wrongful requirements by employers.

Hosford bill, to carry into effect the provisions of the constitution that no corporation shall hold land for more than ten years.

Hosford bill, preventing corporations from engaging in mercantile business.

Ogg bill, to abolish contract labor in State prisons.

Ogg bill, to prohibit the use of scrip or store orders in the payment o wages.

Ogg bill, to prohibit non-resident aliens from holding land.

Ogg bill, to provide for the better protection of health, safety and comfort of persons employed in shops and factories.

Rairden bill, to repeal the Baker conspiracy law.

Washburn bill, to make employers liable for injuries sustained by their employes by reason of uncovered or unsafe machinery or scaffolding. Signed by John F. O'Rourke, C. W. Robinson, R. S. O'Rourke, George Crooke, and 122 others.

Referred to the committee on labor interests.

REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 22 (file No. 25), entitled

A bill to require security to be given on staying proceedings upon verdicts and judgments in the circuit courts of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 105 (file No. 119), entitled

A bill to repeal act No. 246, of the public acts of 1879, entitled, "An act in relation to commencement of actions relating to real estate, and for labor or services, and service of process therein," approved May 31, 1879, being section 7317 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 163 (file No. 121), entitled

A bill to amend section 23 of chapter 225 of the compiled laws of 1871, entitled "Informations in the nature of a *quo warranto*, and in certain other cases," being compiler's section No. 8657 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 102 (file No. 123), entitled

A bill to make debts for labor preferred claims against the estates of debtors becoming insolvent, and give the same precedence over all debts not a lien on such estates prior to the performance of such labor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 335, entitled

A bill to amend Act No. 45 of the session laws of 1882, entitled an act authorizing the common council of the city of Detroit with the concurrence of the city council thereof, to make a re-assessment to defray the expense of a public improvement on Jefferson avenue, a street in said city from the east curb line of Beaubien street to the railroad bridge in said city,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on labor interests:

The committee on labor interests, to whom was referred

House bill No. 347 (file No. 141), entitled

A bill to provide for the safety of persons and employes engaged in operating and running machinery in the State of Michigan, and to compel the owners and operators of the same to provide safeguards to insure the protection of persons employed in and about the running and operating of machinery in this State,

Also,

House bill No. 582 (file No. 296), entitled

A bill to provide for the better protection of the health, comfort and safety of persons employed in shops and factories.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute for both bills, entitled

A bill to provide for the appointment of an inspector of machinery in manufacturing establishments, also the safety of persons and employes engaged in operating and running machinery in the State of Michigan, and to compel the owners and operators of the same to provide safeguards to in-

sure the protection of persons employed in and about the running and operating of machinery,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GEO. OVIATT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Ogg,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 560, entitled

A bill to provide for straightening, opening, deepening and widening the west branch of Sturgeon Creek, in Midland county, and making an appropriation of State swamp land for same,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for straightening, opening, deepening and widening Little Sturgeon Creek in Midland county, and making an appropriation of State swamp lands for same,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Bentley,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on supplies and expenditures:

The committee on supplies and expenditures submit herewith bill of Jas. T. Edwards for mineral water, amounting to \$76.00; also bill of A. F. Alton for one barrel, \$2.00, and recommend that the same be allowed and paid.

Respectfully submitted,

J. A. DAMON, *Chairman*.

The following are the two accounts:

State of Michigan, for House of Representatives, to James T. Edwards, Dr.:

Feb. 19th, to six days' service of water from 14th inclusive	\$12 00
Feb. 26th, to six days' service of water from 14th inclusive	12 00
Mch. 5th, to six days, to 12th, six days, to 19th, six days, to 26th, six days, to 29th, two days—26 days in March	52 00

\$76 00

Correct:

J. P. AUSTIN, *Sergeant at Arms, House*.

Lansing, March 24th, 1887.

House of Representatives bought of A. F. Alton:

One 20 gallon barrel..... \$2 00

Report accepted.

On motion of Mr. Damon,

The two bills were allowed and ordered paid.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 246, entitled

A bill to amend section 2 of article 3, sections 2 and 4 of article 6, and the acts amendatory thereof, of act 290, of the session laws of 1867, entitled "An act to incorporate the village of St. Johns,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend sections 2 and 4 of article VI. of act No. 290 of the session laws of 1867, entitled an act to incorporate the village of St. Johns and the acts amendatory thereof,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hill,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Hill,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Kelley,	Mr. Rounsville,
Allen,	Cole,	Killeen,	Rumsey,
Anderson,	Dakin,	Manly,	Simpson,
Ashton,	Damon,	McCormick,	Snow,
Baker, W. A.,	Dougherty,	McGregor,	Spencer,
Baldwin,	Douglass,	McKie,	Stuart,
Bates,	Dunbar,	Ogg,	Thompson,
Baumgardner,	Eldred,	Oviatt,	Tindall,
Beecher,	Engleman,	Pardee,	VanOrthwick,
Bettinger,	Goodrich,	Perkins,	Vickary,
Bentley,	Harper,	Pierce,	Vroman,
Breen,	Haskin,	Powers,	Washburn,
Brock,	Hill,	Preston	Watts,
Burr,	Hoaglin,	Reader,	Webber,
Cady,	Hoobler,	Rentz,	Wellman,
Case,	Houk,	Robinson, J. W.	Wilson,
Chapell,	Hunt,	Robinson, R.,	Speaker, 68

NAYS.

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Title agreed to.

On motion of Mr. Hill,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on public health:

The committee on public health, to whom was referred

Senate bill No. 396 (file No. 168), entitled

A bill to amend section 4 of chapter 263 of the compiled laws of 1871, being compiler's section 9586, relative to inquests on the view of dead bodies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. H. BARDWELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred

House bill No. 463, entitled

A bill to amend sections No. 26, 31 and 41 of an act entitled "An act to provide for holding general and special elections," being compiler's sections No. 162, 167, and 177 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. D. ELDRED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on reform school:

The committee on reform school, to whom was referred

House bill No. 528, entitled

A bill making appropriations for the current expenses and for building, etc., for the reform school for the years 1887 and 1888,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereon, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. O. ABBOTT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Abbott,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee on ways and means.

By the committee on reform school:

The committee on reform school, to whom was referred

House bill No. 529, entitled

A bill making an appropriation for the establishment of a department of technology at the reform school'

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the House without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. O. ABBOTT, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee on ways and means.

By the committee on reform school:

The committee on reform school, to whom was referred

House bill No. 620, entitled

A bill to amend sections 10 and 12 of chapter 268, compiled laws of 1871, being compiler's sections 8135 and 8137 as amended by act 84, public acts of 1877 relative to the reform school, being sections 9817 and 9819 of Howell's annotated statutes of 1882, and to add a new section to stand as section 15,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend sec. 15 of act No. 172 of the session laws of 1885, entitled "An act to amend sections 10 and 12 of chapter 268 of the compiled laws of 1871, being compiler's sections 8135 and 8137, as amended by act No. 84, public acts of 1877, relative to the Reform School, being sections 9817 and 9819 of Howell's annotated statutes of 1882, and to add a new section to stand as section 15,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

A. O. ABBOTT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Abbott,

The House concurred in the adoption of the substitute reported by committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on reform school:

The committee on reform school, to whom was referred so much of the Governor's message as related to that institution, respectfully report that they heartily concur in the recommendation that "a capable man be employed at a fixed salary to find homes for the boys instead of keeping them in school so long, and whose duty it shall be to look to their welfare after they have been placed out."

This arrangement would lessen the expense to the State, and benefit a large number of boys who, by being placed in good homes in the country, will gain self reliance and a laudable ambition to occupy an honorable position in the community. To bring this about your committee have prepared a bill to amend act No. 72, session laws of 1885, so as to provide for the payment of a suitable person whose duty it shall be to provide homes for such of the boys as the superintendent and board of trustees shall from time to time decide to be worthy of promotion in this direction.

The admitted advantage to the Coldwater school of the employment of a special agent for this purpose, for that school, demonstrates the advisability of the employment of special agents in such cases.

This agent would be appointed by and be under the control of the board of trustees of the school, and when not needed in his special work his services could be utilized in other work connected with the institution.

Your committee further recommend that an appropriation of five thousand dollars be made for the establishment of a department of technology.

The average number of boys in the institution is about 480. A large number of them are sent from the cities, and will naturally return to the cities when dismissed from the institution. Many of them have natural mechanical ability, which, if developed, will enable them to obtain employment more readily than if they are sent out to swell the ranks of unskilled laborers, and lessen the chances of their being tempted to resort to questionable methods of gaining a livelihood.

The present facilities of the school allow the employment of fifty (50) of them in the tailor shop, six (6) in the shoe shop, six (6) in the engine room and three (3) in the bake shop, so that no more than sixty-five (65) at any one time can be taught any employment that will be of use to them in the city or village to which they may go. We therefore recommend that a blacksmith shop with fifteen (15) forges, a carpenter shop with thirty (30) benches and a printing outfit be provided; this will allow the teaching of the "use of tools" to sixty (60) boys in the blacksmith shop, sixty (60) in the carpenter shop and fifty (50) in the printing office.

The expense of these "plants" will be about one thousand dollars (\$1,000) each, and the remainder of the appropriation, after buying the tools and fixtures, will be needed to pay for materials and instruction for the next two years.

Your committee further recommend that the following amounts be appropriated for current expenses and improvements, viz.:

For current expenses for the year 1887.....	\$52,000
Current expenses for the year 1888.....	52,000
Building and repairing fences and sidewalks, 1887.....	500
Building and repairing fences and sidewalks, 1888.....	500
New kitchen furniture.....	200
Tubular washer and mangle.....	500
Tunnel for steam pipes.....	1,000
Ice house and meat room.....	500
Green house and fixtures.....	3,000
Sewerage, \$2,500, or if satisfactory arrangements can be made for connecting with the sewer system of the city of Lansing...	7,500

For explanation of the above items see report of Superintendent C. A. Gower, on pages 11 to 17 inclusive, of the report of the board of control of the reform school for 1885-86, excepting the one relating to sewerage.

At the time that report was written it was not thought probable that any arrangement for connection with the sewer system of the city of Lansing could be made, and the plan of carrying the sewage back upon the farm was considered the best one available under the circumstances.

There are grave doubts as to the certainty of disposing of the sewage in this way, without danger of its being offensive and dangerous to the health of the residents of that part of the city, and the inmates of the institution.

Hon. William Donovan, the new member of the Board of Control, is a practical civil and sanitary engineer, has been mayor of the city, and fully understands the sewer system, and proposes a plan which seems to be the ideal one in this case.

It is to run a sewer directly west across the bed of the river and connect with the main sewer on the west side of the river. The grade from the

school to the river is quite steep, and connection can be made with the water mains, so that there can never be any stoppage of the pipes or accumulation of "sewer gas" in them. If this can be done it will furnish a perfect system of sewerage for the reform school.

W. H. ATWOOD,

Chairman Senate Committee.

JOHN HOLBROOK,

A. K. ROOF.

A. O. ABBOTT,

Chairman House Committee.

A. D. ELDRED,

MILO H. DAKIN,

J. M. ROGERS,

R. D. O'KEEFE.

Report accepted and committee discharged.

The report was referred to the committee on ways and means.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 145 (file No. 114), entitled,

An act to detach certain pieces and parcels of land of section 18, of the township of Lyons, and county of Ionia, from fractional school district No. 1, of the townships of Lyons and Ionia, and attach the same to school district No. 10, of the township of Lyons,

Also,

House bill No. 807 (file No. 283), entitled

An act to change the several names of Peter Curtis, Clarisse Curtis, Peter Curtis, Jr., Eva Curtis, Mari Blanche Curtis and Sophia Curtis to Peter Couture, Clarisse Couture, Peter Couture, Jr., Eva Couture, Mari Blanche Couture and Sophia Couture, respectively,

Also,

House bill No. 154 (file No. 68), entitled

An act to make possession of game or fish out of season *prima facie* evidence of the violation of the law protecting the same,

Also,

House bill No. 27 (file No. 217), entitled

An act relative to the confinement of convicted persons in the Detroit house of correction, and the State house of correction and reformatory at Ionia.

ROBERT Y. OGG, *Chairman.*

Report accepted.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following:

House joint resolution No. 13 (file No 4), entitled

Joint resolution authorizing and instructing the Secretary of State to furnish the Commissioner of Railroads with certified copies of articles of association, and other papers connected with the corporate organization of railroads and filed in the office of said Secretary of State, under the provisions of the general railroad laws,

Also,

House concurrent resolution No. 2 relative to re-printing the public acts of the session of 1883,

Also,

House bill No. 815 (manuscript), entitled

An act to incorporate the village of Hadley in the county of Lapeer and State of Michigan.

ROBERT Y. OGG, *Chairman*.

Report accepted.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,
Lansing, April 13, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the secretary of state,

[House bill No. 340 file No. 153, being]

An act to revise and amend an act entitled "An act to organize the union school district of Bay City," approved March 20, 1867, and the acts amendatory thereof,

Also,

House concurrent resolution authorizing and instructing the Secretary of State to cause to be re-printed one thousand copies of the public acts of 1883.

C. G. LUCE, *Governor*.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 13, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 343 (file No. 212), entitled

A bill to authorize the city of Menominee to join with Wisconsin authori-

ties and construct a bridge across the Menominee river,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 13, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following concurrent resolution:

Resolved by the House (the Senate concurring), that a special joint committee consisting of two of the House and one of the Senate be appointed to investigate the charges and rumors against the management of the State public school and against the character of the superintendent and others in charge, with full authority in the premises to hold sessions, at the school or elsewhere, at such times as shall best suit their convenience, to enforce the attendance of witnesses, administer oaths, taking in full the testimony with clerk and stenographer, as may to them seem desirable, and to perform every act of examination by means of the books and records of the institution, or otherwise, as to them shall seem necessary to a full understanding of the facts in the case, and report their doings to the Legislature at their earliest convenience,

In the adoption of which the Senate has non-concurred.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The message was laid on the table.

MOTIONS AND RESOLUTIONS.

Mr. Webber offered the following:

Resolved, That the Clerk of the House be directed to send a respectful message to the State Treasurer, requesting him to communicate to the House a statement in detail of the condition of the funds of the State on hand April 1st inst., showing what sums of money are actually on hand or on call at that date, and to what specific classification of funds they belong,

Which was adopted.

Mr. Goodrich moved to take from the table

House bill No. 767, entitled

A bill to amend section 1 of article 2, sections 3 and 6 of article 5, sections 2 and 3 of article 14, section 1 of article 17, section 1 of article 18, and section 1 of article 22 of the session laws of 1875, entitled An act to incorporate the village of Zeeland, Ottawa county, Michigan,

Which motion prevailed.

On motion of Mr. Goodrich,

The bill was referred to the committee on municipal corporations.

Mr. Anderson moved to take from the table

House bill No. 625, entitled

A bill to authorize the village of Newaygo to borrow money to make improvements in said village,

Which motion prevailed.

On motion of Mr. Anderson,

The bill was referred to the committee on local taxation.

Mr. J. W. Robinson moved to take from the table

House bill No. 186, entitled

A bill to require and provide for the labor of persons confined in the county jails under sentence thereto,

Which motion prevailed.

On motion of Mr. J. W. Robinson,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. J. W. Robinson moved to discharge the committee on judiciary from the further consideration of

House bill No. 347 (file No. 141), entitled

A bill to provide for the safety of persons and employes engaged in operation and running machinery in the State of Michigan, and to compel the owners and operators of the same to provide safeguards to insure the protection of persons employed in and about the running and operating of machinery in this State,

Which motion prevailed.

The bill having had a joint reference, it was by this action left in the hands of the committee on labor interests.

UNFINISHED BUSINESS.

Being the consideration of Senate amendment to

House bill No. 187 (file No. 127), entitled

A bill to amend section 14 of chapter 196, being compiler's section 5091 of Howell's annotated statutes, relative to apportionment of one-mill tax,

Which had been reported as follows:

By inserting in line 3, section 14, after the word "clerk," where it first occurs, the following: "who shall report said amount to the director of each school district in his township, or to the director of any fractional school district, a portion of which may be located in said township before the first day of September of each year,"

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Anderson,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Case,	Mr. Hunt,	Mr. Rumsey,
Allen,	Chapman,	Kelley,	Simpson,
Anderson,	Cole,	Lincoln,	Snow,
Baker, S.,	Damon,	Manly,	Spencer,
Baker, W. A.,	Dillon,	McCormick,	Stuart,
Baldwin,	Dougherty,	McGregor,	VanOrtheastwick,
Bates,	Dunbar,	Oviatt,	Vickary,
Baumgardner,	Engleman,	Perkins,	Washburn,
Beecher,	Goodrich,	Pierce,	Watson, F. H.,
Bettinger,	Haskin,	Powers,	Watts,
Bentley,	Hill,	Reader,	Webber,
Breen,	Hoaglin,	Robinson, R.	Wilson,
Brock,	Hoobler,	Rounsville,	Speaker,
Burr,	Houk,		

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following:

Senate amendment to

House bill No. 142, (file No. 165), entitled

A bill to amend sections 21 and 22 of chapter 28 of Howell's annotated statutes of Michigan, being compiler's sections 1262 and 1263, relative to hawkers and peddlers,

Which had been reported as follows:

1. By striking out section 1, and inserting in lieu thereof the following, to stand as section 1:

SECTION 1. *The People of the State of Michigan enact*, That sections 21 and 22 of chapter 22 of the compiled laws of 1871, being compiler's sections 1262 and 1263 of Howell's annotated statutes of Michigan, relative to hawkers and peddlers, be and the same are amended so as to read as follows:

2. By striking out of line 7 of section 21 the words "or magistrate," and striking out of the same line the word "whom" and inserting in lieu thereof the word "which";

3. By inserting in line 3 of section 22 after the word "manufacturer" the word "farmer."

Also an amendment to the title of the bill so as to read as follows:

A bill to amend secs. 21 and 22 of chapter 22 of the compiled laws of 1871, being compiler's secs. 1262 and 1263 of Howell's annotated statutes of Michigan relative to hawkers and peddlers.

The question being on concurring in the amendments made by the Senate to the bill.

On motion of Mr. Hill,

The House concurred, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Dakin,	Mr. Manly,	Mr. Simpson,
Allen,	Damon,	McCormick,	Snow,
Ashton,	Dougherty,	McGregor,	Spencer,
Baldwin,	Dunbar,	McKie,	Stuart,
Bardwell,	Eldred,	Ogg,	Thompson,
Bates,	Engleman,	Oviatt,	Tindall,
Baumgardner,	Goodrich,	Pardee,	VanOrchwick,
Beecher,	Harper,	Perkins,	Vickary,
Bettinger,	Haskin,	Pierce,	Vroman,
Bentley,	Hoaglin,	Powers,	Washburn,
Breen,	Hoobler,	Reader,	Watson, F. H.,
Burr,	Houk,	Rentz,	Watts,
Chapell,	Hunt,	Robinson, R.,	Wellman,
Chapman,	Kelley,	Rounsiville,	Wilson,
Cole,	Killean,	Rumsey,	Speaker,
Crocker,	Lincoln,		62

NAYS.

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

GENERAL ORDER.

On motion of Mr. Hoobler,

The House went into committee of the whole, on the general order,

With the Speaker in the chair,

For the consideration of House bill No. 218, entitled

A bill to consolidate Au Sable and Oscoda to be known as the city of Au Sable.

After some time spent therein, the committee rose, and through their chairman made the following report :

The committee of the whole have had under consideration the following bill :

House bill No. 218, entitled

A bill to consolidate Au Sable and Oscoda, to be known as the city of Au Sable.

But not having gone through therewith, have directed their chairman to report that fact to the House and ask leave to sit again.

D. P. MARKEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chapman,

Leave was granted to the committee to sit again for the consideration of the bill.

On motion of Mr. McCormick,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

GENERAL ORDER.

On motion of Mr. Hoobler,

The House went into committee of the whole on the general order,
With the Speaker in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

House bill No. 218, entitled

A bill to consolidate Au Sable and Oscoda, to be known as the city of Au Sable.

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

D. P. MARKEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoobler,

The House concurred in the amendments made to the bill by the committee.

Mr. Hoobler moved that the special order be deferred until the bill now under consideration (House bill No. 218), be disposed of,

Which motion prevailed, two-thirds of all the members present voting therefor.

On motion of Mr. Hoobler,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof.

Mr. Diekema moved to amend the bill by adding a new section at the end of title 17, to stand as section 17, and to read as follows:

SEC. 17. The said city of Iosco-as hereby constituted shall be divided into two assessment districts for the purpose of paying all the indebtedness of the former village of Oscoda and the former village of Au Sable, and the said territory formerly constituting the village of Oscoda shall be one district and shall be subject to the indebtedness of the former village of Oscoda, and no other; and the said territory formerly constituting the village of Au Sable shall be the other assessment district, which shall be subject to the indebtedness of the former village of Au Sable, and no other. And it is hereby made the duty of the common council of the city of Iosco to provide for the assessment and collection of such sums of money as may be necessary to cancel such indebtedness, as it may fall due, on the basis of each one of the assessment districts paying all its indebtedness contracted prior to the passage of this act.

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on the passage of the bill, pending the taking of the vote thereon,

Mr. Hoobler moved that there be a call of the House:

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Mr. Rentz.

On motion of Mr. Chapman,

All further proceedings under the call were dispensed with.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Cross,	Mr. Hunt,	Mr. Reader,
Baker, S.,	Dakin,	Kallendar,	Robinson, J. W.
Baker, W. A.,	Damon,	Kelley,	Rumsey,
Bardwell,	Diekeman,	Killeen,	Simpson,
Baumgardner,	Dillon,	Lincoln,	Snow,
Beecher,	Douglass,	Manly,	Stuart,
Bettinger,	Dunbar,	McKie,	Thompson,
Bentley,	Engleman,	Mulvey,	Washburn,
Breen,	Goodrich,	Ogg,	Watson, H.,
Brock,	Green,	Pardee,	Webber,
Chamberlain,	Hoobler,	Powers,	Wellman,
Crocker,	Hosford,	Preston,	Wood, 48

NAYS.

Mr. Abbott,	Mr. Cole,	Mr. Lakey,	Mr. Rogers,
Anderson,	Dougherty,	Makelim,	Rounsville
Ashton,	Eldred,	McCormick,	Spencer,
Baldwin,	Harper,	McGregor,	Tindall,

Mr. Bates,	Mr. Haskin,	Mr. McMillan,	Mr. Van Orthwick,
Burr,	Hill,	O'Keefe,	Vroman,
Cady,	Hoaglin,	Oviatt,	Watson, F. H.,
Case,	Houk,	Perkins,	Watts,
Chapell,	Jones,	Pierce,	Williams, T. H.,
Chapman,	Kirby,	Robinson, R.,	Wilson, 40

Mr. Houk moved to recousider the vote by which the House refused to pass the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Houk,

The bill was laid on the table.

The hour having arrived for the

SPECIAL ORDER.

On motion of Mr. Oviatt,

The House went into committee of the whole on the special order.

Whereupon the Speaker called Mr. Baldwin to the chair.

After some time spent therein the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 291 (file No. 282), entitled

A bill to regulate the manner in which insurance companies not organized under the laws of this State, but doing business within it, shall transact their business,

Have made no amendments thereto, and have directed their chairman to report the same back to the house, and recommend its passage.

F. A. BALDWIN, *Chairman.*

Report accepted and committee discharged.

The bill was then placed on the order of third reading.

Mr. Hill moved to take from the table

House bill No. 645 (file No. 233), entitled,

A bill to amend section three of chapter four of act number two hundred and twenty-seven, of the public acts of eighteen hundred and eighty-five, entitled "An act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto,"

Which motion prevailed,

The question being on the passage of the bill,

Mr. Hill moved to amend the bill by inserting in line 12, section 3, after the word "commissioner" the words "after having been requested in writing by two or more persons whose lands are liable to be assessed for the benefits on such drains."

Also, by adding at the end of section 12, the following:

"Provided, That it shall not be necessary for said drain commissioner to notify the surveyor for his examination of said drain unless the entire cost of construction shall exceed one hundred dollars, nor in cases of tile drains,"

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Kelley,	Mr. Robinson, J. W.
Allen,	Cross,	Killean,	Robinson, R.,
Anderson,	Dakin,	Kirby,	Rogers,
Ashton,	Damon,	Lakey,	Rounsville,
Baker, W. A.,	Diekema,	Lincoln,	Rumsey,
Baldwin,	Dillon,	Makelim,	Simpson,
Bardwell,	Dougherty,	Manly,	Spencer,
Bates,	Dunbar,	McCormick,	Stuart,
Baumgardner,	Eldred,	McKie,	Tindall,
Beecher,	Engleman,	McMillan,	Vickary,
Bettinger,	Goodrich,	Mulvey,	Vroman,
Bentley,	Harper,	Ogg,	Washburn,
Brock,	Haskin,	O'Keefe,	Watts,
Burr,	Hill,	Oviatt,	Wellman,
Cady,	Hoobler,	Pardee,	Williams, T. H.
Case,	Hosford,	Perkins,	Wilson,
Chamberlain,	Houk,	Pierce,	Wood,
Chapell,	Jones,	Reader,	Speaker,
Chapman,	Kallender,		74

NAYS.

Mr. Snow,	1
Title agreed to.	
On motion of Mr. Dakin,	
The House adiourned.	

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Lansing, Friday, April 15, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Franklin.

Roll called: quorum present.

Absent without leave: Messrs. Harper, Hoobler and F. H. Watson.

On motion of Mr. Thompson,

Leave of absence was granted to Mr. Hoobler until Monday next.

On motion of Mr. Makelim,

Leave of absence was granted all absentees for the day.

On motion of Mr. Dougherty,

Leave of absence was granted to himself until April 25.

On motion of Mr. Holt,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Baumgardner,

Leave of absence was granted to himself until Wednesday.

On motion of Mr. Burr,

Leave of absence was granted to himself for the day.

On motion of Mr. Wood,

Leave of absence was granted to himself for the day.

Mr. Haskin offered the following:

Resolved, That when the House adjourn to-day it stand adjourned until 2 o'clock P. M. on Monday, April 18.

For which

Mr. Damon offers the following substitute:

Resolved, That when the House adjourn to-day it stand adjourned until Tuesday next at 2 o'clock P. M.; and be it further

Resolved, That the House hold sessions on the evenings of Tuesday and Thursday, April 19 and 21, beginning at 7:30 o'clock.

Mr. Washburn moved to amend the substitute by making the hour for convening 9:30 o'clock P. M. instead of 2 o'clock P. M.,

Which was agreed to.

The question being on agreeing to the substitute,

Mr. Lakey demanded a division of the question.

The question being first taken on adjourning from to-day until 9:30 P. M. on Monday next, the proposition was agreed to.

The question being then taken on the holding of two evening sessions next week,

The same was not agreed to.

The question then being on the adoption of the substitute as amended, in place of the original resolution,

The same was adopted.

Mr. McMillan moved to take from the table,

House bill No. 833, entitled

A bill to incorporate the village of Rockford,

Which motion prevailed.

On motion of Mr. McMillan,

The bill was referred to the committee on municipal corporations.

PRESENTATION OF PETITIONS.

No. 808. By Mr. Crocker: Petition of J. T. Hunt and 25 others, citizens of Michigan and K. of L., asking for the passage of the Ogg bill to prohibit the use of scrip or store orders in payment of wages.

Also,

No. 809: Petition of James C. Walker and 40 others, same subject.

Also,

No. 810: Petition of P. Lamb and 40 others, same subject.

Also,

No. 811: Petition of L. M. Barnes and 35 others, same subject.

Referred to the committee on labor interests.

Nos. 812, 813, 814, 815, 816. By Mr. Green: Petition of Elihu Cook and 60 others, of Bay City, asking for the passage of the Ogg bill to provide for the better protection of health, safety, and comfort of persons employed in shops and factories; the Grenell bill making nine hours a legal work-day for women and children; the Holbrook bill to protect workmen against wrongful requirements by employers; the Washburn bill to make employers liable for injuries sustained by their employed by reason of uncovered or unsafe machinery or scaffolding; and the Ogg bill to prohibit the payment of wages in scrip or store orders.

Referred to the committee on labor interests.

Also,

Nos. 817, 818, 819, 820 and 821: Petition of Elihu Cook and 59 others asking for the passage of the Rairden bill to repeal the Baker conspiracy law; the Ogg bill to prohibit non-resident aliens from holding land; the Grenell bill to prohibit the employment of aliens by corporations; the Grenell bill making general election days legal holidays, and the Grenell bill to preserve the purity of elections and to provide a secret ballot.

Referred to the committee on judiciary.

Also,

No. 822: Petition of E. Cook and 34 others for the passage of the Breen bill in relation to the appointment of a mine inspector.

Referred to the committee on mines and minerals.

Also,

No. 823: Petition of Jas. D. Bligh and 52 others of Bay City asking for the passage of the Ogg bill to abolish contract labor in State prisons.

Referred to the committee on State prison.

Also,

Nos. 824, 825: Petition of J. McKinney and 62 others praying for the passage of the Breen bill, forfeiting unearned land grants, and the Hosford bill, to carry into effect the provision of the constitution that no corporation shall hold land more than ten years.

Referred to the committee on public lands.

Also,

No. 826: Petition of Elihu Cook and 60 others asking for the passage of the Hosford bill, preventing corporations from engaging in retail mercantile business.

Referred to the committee on private corporations.

Also,

No. 827: Petition of E. Cook and 60 others asking for the passage of the Dillon bill, for the compulsory education of children.

Referred to the committee on education.

No. 828. By Mr. Washburn: Petition of L. A. 4293, K. of L., urging the passage of the Washburn liability bill.

Referred to committee on judiciary.

Also,

No. 829. Petition of W. H. Waltensperge, Robert Wilson, and 90 others urging the passage of the same bill.

Referred to same committee.

No. 830. By Mr. McKie: Petition of W. M. Smith, Chas. H. Johnson, and 15 others of Lincoln township, Berrien county, asking relief from railroad bonds.

Referred to committee on State affairs.

No. 831. By Mr. Tindall: Petition of Walter Crawford, A. V. Austin, and forty others asking for the passage of Senate bill No. 13, to equalize State bounties.

Referred to committee on ways and means.

No. 832. By Mr. Bentley: Petition of Joseph Wilson, A. Allen, F. E. Dunton, and others asking for the passage of Mr. Breen's bill, to provide for mine inspectors.

Referred to committee on mines and minerals.

Also,

No. 833. Petition of Daniel Dramon, Daniel R. Shamon, A. V. Kaison, and others of Sturgis for the passage of the Ogg bill to prevent non-resident aliens from holding land.

Referred to committee on judiciary.

Also,

No. 834. Petition of F. E. Allen, F. Barrige, and others of Sturgis, urging the passage of the Hosford bill to prevent corporations from engaging in the mercantile business.

Referred to committee on private corporations.

Also,

No. 835. Petition of John Wittenberg, Herman Ruse, W. H. Cone, and others of Sturgis, asking the passage of Mr. Ogg's bill to abolish contract labor in State's prisons.

Referred to committee on State prison.

Also,

No. 836. Petition of James Ryan, A. J. Kaiser, Charles Haner, and others, asking the passage of Senator Rairden's bill for the repeal of the Baker conspiracy law.

Referred to committee on labor interests.

Also,

No. 837. Petition of H. S. Anthony, J. H. Moe, Wm. Jour, and others of Sturgis, urging the passage of the Washburn bill to make employers liable for injuries sustained by unsafe machinery and scaffolding.

Referred to the committee on judiciary.

Also,

No. 838. Petition of S. Noyes, E. Everett, Burt Culver and others of Sturgis, asking for the passage of the Grenell bill, making 9 hours a legal days work for women and children.

Referred to the committee on labor interest.

Also,

No. 839. Petition of Daniel Shannon, Elmer Gage and others of Sturgis, praying the passage of Mr. Dillon's bill for compulsory education of children.

Referred to the committee on education.

Also,

No. 840. Petition of John Drake, F. E. Allen, J. S. Kenyon and others of Sturgis, asking the passage of the Grenell bill to preserve the purity of elections.

Referred to the committee on judiciary.

Also,

No. 841. Petition of J. B. Crane, H. Baumgardner, Herman Burr and others praying for the passage of the Breen bill to forfeit all unearned land grants.

Referred to the committee on public lands.

Also,

No. 843. Petition of J. Cubler, M. Sandel, J. B. Crane and others, of Sturgis, for the passage of the Holbrook bill, to protect workmen against wrongful requirements of employers.

Referred to committee on labor interests.

Also,

No. 844. Petition of L. B. Ledyard, W. J. Tobey, Daniel Shannon and

others, of Sturgis, asking the passage of the Grenell bill to prohibit the employment of aliens by corporations.

Referred to the committee on judiciary.

Also,

No. 845. Petition of John Wittenberg, Eugene Gage, Geo. Gloman and others, of Sturgis, praying the passage of Mr. Ogg's bill, to prohibit the use of scrip or store orders in the payment of wages.

Referred to the committee on labor interests.

Also,

No. 846. Petition of W. H. Crane, John Walker, Daniel R. Shannon and others, of Sturgis, praying the passage of the Ogg bill, for the better protection of the health and for the safety of persons employed in shops and factories.

Referred to committee on labor interests.

Also,

No. 847. Petition of H. S. Anthony, J. B. Crane, S. B. Zents, and others, of Sturgis, praying the passage of the Hosford bill to carry into effect the provisions of the constitution that corporations shall not hold land for a longer period than ten years.

Referred to committee on public lands.

No. 848. By Mr. Wood: Petition for the passage of Senate bill file No. 42.

On demand of Mr. Wood,

The petition was read at length, and spread at large on the journal, as follows:

To the Honorable Legislature of the State of Michigan :

We, citizens of Gratiot county, Mich., believing that the passage of the act permitting counties to organize under the township district system, do hereby petition your honorable body to pass the bill, Senate file No. 42, which in our judgment will be beneficial to the ungraded schools of the State.

Referred to the committee on education.

No. 849. By Mr. Dillon: Petition of members of L. A. 4293 of K. of L., asking for the passage of the Dillon bill, to provide for compulsory education of children.

On demand of Mr. Dillon,

The petition was read at length, and spread at large on the journal, as follows:

Detroit, April 11, 1897.

DEAR SIR—We, the officers and members of L. A. 4293 K. of L., and citizens of the State of Michigan, do hereby pray to your honorable Senators and Representatives for the enactment into law the bill known as the Dillon bill, to provide for compulsory education of children.

ADOLPH JASNOWSKI, M. W.

SAMUEL J. BLOOM, *Rec. Sec.*

Referred to the committee on education.

No. 850. By Mr. Haskins: Remonstrance and an affidavit protesting against the passage of the Marine City charter bill over the Governor's veto.

Referred to the committee on municipal corporations.

No. 851. By Mr. Hosford: Petition of L. A. 4293 of the city of Detroit for the passage of House file 262, carrying into effect constitutional provision relative to holding of land by corporations.

Referred to the committee on public lands.

No. 852. By Mr. Hosford: Petition of L. A. 4293 of the city of Detroit, for the passage of House file 262 relative to corporations engaging in retail mercantile business.

Referred to the committee on private corporations.

N. 853. By Mr. Ogg: Petition of Tom Payne Assembly K. of L., of Detroit, praying the passage of Mr. Ogg's bill to protect the health of employes in shops and factories.

Referred to the committee on labor interests.

Also,

No. 854. Petition from same assembly K. of L., praying the passage of a bill prohibiting the holding of lands by non-resident aliens.

Referred to committee on judiciary.

Also,

No. 855. Petition from same assembly K. of L., praying for passage of Ogg's convict labor bill.

Referred to committee on State prisons.

Also,

No. 856. Petition of Devlin Assembly K. of L., of Detroit, praying for passage of bill prohibiting non-resident aliens from holding lands.

Referred to committee on judiciary.

Also,

No. 857. Petition of Devlin Assembly K. of L. of Detroit, praying for the passage of Ogg's convict labor bill.

Referred to committee on judiciary.

Also,

No. 858. Petition of Devlin Assembly K. of L. of Detroit, praying for the passage of bill providing for better protection of health and comfort of factory employes.

Referred to committee on labor interests.

Also,

No. 859. Petition of Devlin Assembly K. of L. of Detroit, asking the passage of Mr. Ogg's bill prohibiting the payment of wages in scrip and store orders.

Referred to committee on private corporations.

Also,

No. 860. Petition of K. of L. of East Saginaw, asking the passage of Mr. Ogg's convict labor bill.

Referred to committee on State prisons.

No. 861. By Mr. T. W. Williams: Petition of Jackson assembly 3652 asking the passage of the Grenell bill relative to purity of elections.

Referred to the committee on judiciary.

Also,

No. 862: Petition of Jackson assembly 3652 asking for the passage of the Ogg bill relative to convict contract labor.

Referred to the committee on State prison.

No. 863. By Mr. Baumgardner: Petition of John Olson, Lewis Hansen and numerous others asking for the passage of the Holbrook bill to protect workmen from wrongful requirements by employers.

Also,

No. 864. Petition of C. Peck and numerous others, same subject.

Also,

No. 865. Petition of Jas. Rogers and 50 others asking for the passage of the Rairden bill to repeal the Baker conspiracy law.

Referred to the committee on labor interests.

No. 866. By Mr. Baumgardner: Petition of Jas. Rogers and 42 others asking for the passage of the Breen bill to provide for the election of mine inspectors.

Referred to the committee on mines and minerals.

No. 867. By Mr. Holt: Petition of the township board of Norton township, Muskegon county, asking for the passage of the bill providing for the drainage of Black Lake in said township.

On demand of Mr. Holt,

The petition was read at length and spread at large on the journal, as follows:

In relation to the above petition, we, citizens of Norton township, Muskegon county, located on lands not included in the above mentioned territory, earnestly hope your honorable body will grant the assistance petitioned for. By reason of the overflow of said land a large part of our township is made unhealthy. As a township organization we are not financially able to accomplish the work of reclaiming said land. The citizens within said territory are poor and worthy of assistance. We earnestly desire the passage of the bill enabling them to lower the lake.

J. H. Whitney, Supervisor,
M. Rousell, Justice of the Peace,
Frank Dorn, Town Clerk,
Lewis Kinne, J. P.,
George W. Ashton, J. P.,
Wm. Churchill, Treasurer,

Chas. Butterworth,
Geo. N. Catch,
Anson Brown,
Henry C. Road,
Jno. Van Pelt,
C. W. Wright.

Referred to the committee on public lands.

No. 868. By Mr. Holt: Petition of John Miller, William Kolb, Frederick Baker and 40 other citizens of Norton township, Muskegon county, praying for the passage of the bill providing for the drainage of Black Lake, in said county,

On demand of Mr. Holt,

The petition was read at length, and spread at large on the journal, as follows:

To the Senate and House of Representatives of Michigan:

We the undersigned, citizens of Norton township, Muskegon county, and Spring Lake township, Ottawa county, Michigan, residents and land-owners of territory contiguous to Little Black Lake, represent to your honorable body that on account of the water of said lake being so near level with the surface of the land our crops are drowned out very frequently;

That the health of the people is endangered by malaria produced thereby;

That we, on account of sickness and loss of crops, are not financially able to remedy the matter;

That we are actual settlers and not land speculators;

That the territory can be reclaimed and the location made healthy by lowering the water in said lake four feet by ditching;

That the territory if reclaimed will be good farming land.

That said swamp land was sold and the proceeds applied to other counties for similar purposes.

We earnestly ask assistance by the appropriation of swamp land to render our homes healthy and our farms tillable.

By lowering said lake four feet about 2,500 acres can be reclaimed and a half a hundred homes made productive, healthy and happy.

That without assistance many will be prevented from making homes, and honest settlers will be compelled to abandon their homes and lose all.

We therefore humbly ask your honorable body to help us by favorably considering House bill No. —, introduced for that purpose.

Very respectfully submitted.

Referred to the committee on public lands.

REPORTS OF STANDING COMMITTEES.

By the committee on education:

The committee on education, to whom was referred

House bill No. 355, entitled

A bill to provide for the compulsory education of children in certain cases and to repeal act No. 144 of the session laws of 1883, relating to the compulsory education of children,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to protect children and prevent them from being educated in immorality and crime,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. W. Williams,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Linton moved to discharge the committee on judiciary from the further consideration of

House bill No. 542, entitled

A bill to establish a board of assessment and review for the city of East Saginaw, and to repeal all provisions of the present charter of the city inconsistent therewith,

Which motion prevailed.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 542, entitled

A bill to establish a board of assessment and review of the city of East Saginaw, and to repeal all provisions of the present charter of the city inconsistent therewith,

Respectfully report the same back to the House, in accordance with its instructions.

G. J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Linton,

The bill was referred to the committee on municipal corporations.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 111 (file No. 81), entitled

A bill to amend section 1, of act No. 147 of the session laws of 1885, entitled "An act to provide for the introduction and use on all cars owned and operated by any railroad company, or other corporation doing business in this State, of some form of automatic car coupling, by means of which all cars may be coupled and uncoupled without the necessity of the brakeman, or any other person, passing between the cars,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on reform school:

The committee on reform school, to whom was referred

House bill No. 620, entitled

A bill to amend act No. 172 of the session laws of 1885, entitled "An act to amend sections 10 and 12 of chapter 268 of the compiled laws of 1871, being compiler's sections 8135 and 8137, as amended by act No. 84 of the public acts of 1877, relative to the reform school, being sections 9817 and 9819 of Howell's annotated statutes of 1882, and to add a new section to stand as section 15,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 15 of act No. 172 of the session laws of 1885, entitled "An act to amend sections 10 and 12 of chapter 268, compiled laws of 1871, being compiler's sections 8135 and 8137 as amended by act 84, public acts of 1877, relative to the reform school, being sections 9817 and 9819 of Howell's annotated statutes of 1882, and to add a new section to stand as section 15,"

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

A. O. ABBOTT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Abbott,

The House concurred in the adoption of the substitute reported by committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 273, entitled

A bill to provide for the introduction and use of fire extinguishers upon all passenger and sleeping cars run and operated by any railroad company doing business on any line of road within this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 303, entitled

A bill to prohibit the use of stoves in passenger cars,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baumgardner,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 191, entitled

A bill to provide for the introduction and use on all railroad cars owned and operated by any railroad or other corporation running railroad cars in the State of Michigan, to place on car draw-heads at a uniform height from the rail,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The bill was laid upon the table.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 453, entitled

A bill to provide damages by corporations for the loss of life by the carelessness or neglect of corporations or their employés,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 692, entitled

A bill to amend section 3377 of Howell's annotated statutes of the State of Michigan as amended by act number two hundred and thirty-four of the session laws of 1885, relative to the fences of railroad companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 767, entitled

A bill to amend section 1 of article 2, sections 3 and 6 of article 5, sections 2 and 3 of article 14, section 1 of article 17, section 1 of article 18, and section 1 of article 22 of the session laws of 1875, entitled "An act to incorporate the village of Zeeland, Ottawa county, Mich.,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 1 of article 2, and sections 1 and 3 of article 3, section 6 of article 5, sections 2 and 3 of article 14, section 1 of article 17, and section 1 of article 18 of act No. 321 of the session laws of 1875, entitled "An act to incorporate the village of Zeeland, Ottawa county, Mich.,"

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Goodrich,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Killan,	Mr. Robinson, R.,
Allen,	Cole,	Kirby,	Rounsville,
Anderson,	Damon,	Lakey,	Rumsey,
Ashton,	Dillon,	Linton,	Simpson,
Baker, W. A.,	Dougherty,	Manly,	Snow,
Baldwin,	Douglass,	McCormick,	Spencer,
Bardwell,	Dunbar,	McGregor,	Thompson,
Bates,	Eldred,	McKie,	Tindall,
Baumgardner,	Engleman,	Mulvey,	VanOrthwick,

Mr. Beecher,	Mr. Goodrich,	Mr. Ogg,	Mr. Vroman,
Bettinger,	Haskin,	Oviatt,	Washburn,
Bentley,	Hill,	Pardee,	Watson, H.,
Breen,	Hoaglin,	Perkins,	Watts,
Brock,	Holt,	Pierce,	Webber,
Burr,	Hosford,	Powers,	Wellman,
Cady,	Houk,	Preston,	Williams, T.H.
Case,	Hunt,	Reader,	Wilson,
Chamberlain,	Jones,	Rentz,	Wood,
Chapell,	Kelley,	Robinson, J.W.	Speaker, 76

NAYS.

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Title agreed to.

On motion of Mr. Goodrich,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

Senate bill No. 197, entitled

A bill to restrict the powers of commissioners of highways in the township of Ironwood, in the county of Gogebic, and to authorize the township board of said township to provide for maintaining the streets, sidewalks, crosswalks, and alleys now built, or hereafter to be built, within the limits of the plat of the village of Ironwood, in said township, as laid down on plat of said village, duly recorded in the office of the Register of Deeds in and for the county of Gogebic, and to authorize the township board of said township of Ironwood to maintain a fire department and to license hawkers, peddlers, and auctioneers within said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Simpson,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

House bill No. 859, entitled

A bill to repeal section 10, chapter 2, of act No. 243 public acts of 1881, being section 1334 of Howell's annotated statutes, relative to assessments for highway purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Preston,

The bill was laid on the table.

By the committee on fisheries:

The committee on fisheries, to whom was referred
House bill No. 510, entitled

A bill to declare the waters of the great lakes, Superior, Michigan, Huron, St. Clair, and Erie, and their bays and inlets, free to all for shooting, and for fishing with hook and line,

Respectfully report that they have had the same under consideration, and have directed me (Mr. S. Baker dissenting), to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lakey,

The bill was laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred

House bill No. 808, entitled

A bill to authorize the people of the township of Sherman, in the county of Iosco, to borrow money for the payment of highway and other indebtedness of said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

A. T. CASE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 377, entitled

A bill to authorize the board of control of State swamp lands to make an appropriation of swamp lands to drain and reclaim marsh and overflowed lands in the townships of Albee and Spaulding, Saginaw county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Snow,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Oviatt moved to amend the bill by adding at the end of the bill the following:

Provided, That said lands shall be appropriated from any State swamp remaining unappropriated in Saginaw county,

Which was agreed to.

The question being on the passage of the bill,

On motion of Mr. Snow,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroad:

The committee on railroads, to whom was referred

Senate bill No. 177 (file No. 85), entitled

A bill to provide for the better protection of the lives of passengers and employes on railroad trains,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on public health:

The committee on public health, to whom was referred

House bill No. 828, entitled

A bill to amend section 10 of act 134 of the public acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan,"

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

H. H. BARDWELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. A. Baker,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 143 (File No. 114), entitled

A bill to amend section 4345 of the compiled laws of the year 1871, being section 5808 of Howell annotated statutes relative to wills of real and personal estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 71, entitled

A bill to amend section 7 of chapter 81 of the revised statutes of 1846, being section 6190 of Howell's compilation of general statutes in force, relative to fraudulent conveyances and contracts relating to goods and chattels,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommended that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Abbott,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 437, entitled

A bill to amend sec. 6200 of chap. 234 of Howell's annotated statutes of the State of Michigan, relative to the foreclosure of chattel mortgages and pledges,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 237 (file No. 122), entitled

A bill to amend section 1 of an act entitled "An act to provide wives with property and maintenance from their husband's estate, when neglected or deserted by them," approved April 24, 1873, being consecutive section 6291 of the general statutes of Michigan in force, compiled and annotated by Andrew Howell, as amended by act No. 149 of the public acts of the State of Michigan of 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 542, entitled

bill to establish a board of assessment and review for the city of East Sag-

inaw, and to repeal all provisions of the present charter of said city inconsistent therewith,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Linton,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Linton,	Mr. Bentz,
Allen,	Cole,	Makelim,	Robinson, J. W.
Anderson,	Dakin,	Manly,	Robinson, R.,
Ashton,	Damon,	McCormick,	Rogers,
Baldwin,	Diekema,	McGregor,	Rumsey,
Bardwell,	Dougherty,	McKie,	Spencer,
Bates,	Dunbar,	Mulvey,	Thompson,
Baumgardner,	Eldred,	Ogg,	Tindall,
Beecher,	Engleman,	O'Keefe,	VanOrchwick,
Bettinger,	Goodrich,	Oviatt,	Vickary,
Bentley,	Haskin,	Pardee,	Vroman,
Breen,	Hoaglin,	Perkins,	Watson, H.
Brock,	Houk,	Pierce,	Watts,
Burr,	Kallander,	Powers,	Wellman,
Cady,	Kirby,	Preston,	Williams, W. W.
Chamberlain,	Lakey,	Reader,	Wilson,
Chapell,			65

NAYS.

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Title agreed to.

On motion of Mr. Linton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 409, manuscript entitled

A bill to amend act No. 307 of the session laws of 1885, being "An act to revise and amend the charter of the city of West Bay City, and to repeal all acts and parts of acts in conflict therewith," by amending sections one and three of title one defining the boundaries and providing for a new ward therein to be numbered sixth ward, and by adding a new section thereto to be numbered section four, and by amending section eight of title three, sections 8, 17, 22, 23 and 43 of title V, entire title XI, by substituting a new title therefor, to stand as title XI, section 3, and the title of title XII, section 3 of title XIII, section 12 of title XIV, of an act entitled and act to revise and amend the charter of West Bay City, and to repeal all acts and parts of acts in conflict therewith, be-

The bill was referred to the committee on municipal corporations.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 111 (file No. 81), entitled

A bill to amend section 1, of act No. 147 of the session laws of 1885, entitled "An act to provide for the introduction and use on all cars owned and operated by any railroad company, or other corporation doing business in this State, of some form of automatic car coupling, by means of which all cars may be coupled and uncoupled without the necessity of the brakeman, or any other person, passing between the cars,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on reform school:

The committee on reform school, to whom was referred

House bill No. 620, entitled

A bill to amend act No. 172 of the session laws of 1885, entitled "An act to amend sections 10 and 12 of chapter 268 of the compiled laws of 1871, being compiler's sections 8135 and 8137, as amended by act No. 84 of the public acts of 1877, relative to the reform school, being sections 9817 and 9819 of Howell's annotated statutes of 1882, and to add a new section to stand as section 15,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 15 of act No. 172 of the session laws of 1885, entitled "An act to amend sections 10 and 12 of chapter 268, compiled laws of 1871, being compiler's sections 8135 and 8137 as amended by act 84, public acts of 1877, relative to the reform school, being sections 9817 and 9819 of Howell's annotated statutes of 1882, and to add a new section to stand as section 15,"

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

A. O. ABBOTT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Abbott,

The House concurred in the adoption of the substitute reported by committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 273, entitled

A bill to provide for the introduction and use of fire extinguishers upon all passenger and sleeping cars run and operated by any railroad company doing business on any line of road within this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 303, entitled

A bill to prohibit the use of stoves in passenger cars,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Baumgardner,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 191, entitled

A bill to provide for the introduction and use on all railroad cars owned and operated by any railroad or other corporation running railroad cars in the State of Michigan, to place on car draw-heads at a uniform height from the rail,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The bill was laid upon the table.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 453, entitled

A bill to provide damages by corporations for the loss of life by the carelessness or neglect of corporations or their employes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 692, entitled

A bill to amend section 3377 of Howell's annotated statutes of the State of Michigan as amended by act number two hundred and thirty-four of the session laws of 1885, relative to the fences of railroad companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 767, entitled

A bill to amend section 1 of article 2, sections 3 and 6 of article 5, sections 2 and 3 of article 14, section 1 of article 17, section 1 of article 18, and section 1 of article 22 of the session laws of 1875, entitled "An act to incorporate the village of Zeeland, Ottawa county, Mich.,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 1 of article 2, and sections 1 and 3 of article 3, section 6 of article 5, sections 2 and 3 of article 14, section 1 of article 17, and section 1 of article 18 of act No. 321 of the session laws of 1875, entitled "An act to incorporate the village of Zeeland, Ottawa county, Mich.,"

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Goodrich,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Killian,	Mr. Robinson, R.,
Allen,	Cole,	Kirby,	Rounsville,
Anderson,	Damon,	Lakey,	Rumsey,
Ashton,	Dillon,	Linton,	Simpson,
Baker, W. A.,	Dougherty,	Manly,	Snow,
Baldwin,	Douglass,	McCormick,	Spencer,
Bardwell,	Dunbar,	McGregor,	Thompson,
Bates,	Eldred,	McKie,	Tindall,
Baumgardner,	Engleman,	Mulvey,	VanOrthwick,

Mr. Beecher,	Mr. Goodrich,	Mr. Ogg,	Mr. Vroman,
Bettinger,	Haskin,	Oviatt,	Washburn,
Bentley,	Hill,	Pardee,	Watson, H.,
Breen,	Hoaglin,	Perkins,	Watts,
Brock,	Holt,	Pierce,	Webber,
Burr,	Hosford,	Powers,	Wellman,
Cady,	Houk,	Preston,	Williams, T.H.
Case,	Hunt,	Reader,	Wilson,
Chamberlain,	Jones,	Rentz,	Wood,
Chapell,	Kelley,	Robinson, J.W.	Speaker, 76

NAYS.

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Title agreed to.

On motion of Mr. Goodrich,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

Senate bill No. 197, entitled

A bill to restrict the powers of commissioners of highways in the township of Ironwood, in the county of Gogebic, and to authorize the township board of said township to provide for maintaining the streets, sidewalks, crosswalks, and alleys now built, or hereafter to be built, within the limits of the plat of the village of Ironwood, in said township, as laid down on plat of said village, duly recorded in the office of the Register of Deeds in and for the county of Gogebic, and to authorize the township board of said township of Ironwood to maintain a fire department and to license hawkers, peddlers, and auctioneers within said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Simpson,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

House bill No. 859, entitled

A bill to repeal section 10, chapter 2, of act No. 243 public acts of 1881, being section 1334 of Howell's annotated statutes, relative to assessments for highway purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Preston,

The bill was laid on the table.

By the committee on fisheries:

The committee on fisheries, to whom was referred
House bill No. 510, entitled

A bill to declare the waters of the great lakes, Superior, Michigan, Huron, St. Clair, and Erie, and their bays and inlets, free to all for shooting, and for fishing with hook and line,

Respectfully report that they have had the same under consideration, and have directed me (Mr. S. Baker dissenting), to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lakey,

The bill was laid on the table.

By the committee on local taxation:

The committee on local taxation, to whom was referred

House bill No. 808, entitled

A bill to authorize the people of the township of Sherman, in the county of Isoco, to borrow money for the payment of highway and other indebtedness of said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

A. T. CASE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 377, entitled

A bill to authorize the board of control of State swamp lands to make an appropriation of swamp lands to drain and reclaim marsh and overflowed lands in the townships of Albee and Spaulding, Saginaw county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Snow,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. Oviatt moved to amend the bill by adding at the end of the bill the following:

Provided, That said lands shall be appropriated from any State swamp remaining unappropriated in Saginaw county,

Which was agreed to.

The question being on the passage of the bill,

On motion of Mr. Snow,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroad:

The committee on railroads, to whom was referred

Senate bill No. 177 (file No. 85), entitled

A bill to provide for the better protection of the lives of passengers and employes on railroad trains,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on public health:

The committee on public health, to whom was referred

House bill No. 828, entitled

A bill to amend section 10 of act 134 of the public acts of 1885, entitled
"An act to regulate the practice of pharmacy in the State of Michigan,"

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

H. H. BARDWELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. A. Baker,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 143 (File No. 114), entitled

A bill to amend section 4345 of the compiled laws of the year 1871, being section 5808 of Howell annotated statutes relative to wills of real and personal estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred
House bill No. 71, entitled

A bill to amend section 7 of chapter 81 of the revised statutes of 1846, being section 6190 of Howell's compilation of general statutes in force, relative to fraudulent conveyances and contracts relating to goods and chattels,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommended that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Abbott,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred
House bill No. 437, entitled

A bill to amend sec. 6200 of chap. 234 of Howell's annotated statutes of the State of Michigan, relative to the foreclosure of chattel mortgages and pledges,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 237 (file No. 122), entitled

A bill to amend section 1 of an act entitled "An act to provide wives with property and maintainance from their husband's estate, when neglected or deserted by them," approved April 24, 1873, being consecutive section 6291 of the general statutes of Michigan in force, compiled and annotated by Andrew Howell, as amended by act No. 149 of the public acts of the State of Michigan of 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 542, entitled

A bill to establish a board of assessment and review for the city of East Sag-

inaw, and to repeal all provisions of the present charter of said city inconsistent therewith,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Linton,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Linton,	Mr. Rentz,
Allen,	Cole,	Makelim,	Robinson, J.W.
Anderson,	Dakin,	Manly,	Robinson, R.,
Ashton,	Damon,	McCormick,	Rogers,
Baldwin,	Diekema,	McGregor,	Rumsey,
Bardwell,	Dougherty,	McKie,	Spencer,
Bates,	Dunbar,	Mulvey,	Thompson,
Baumgardner,	Eldred,	Ogg,	Tindall,
Beecher,	Engleman,	O'Keefe,	VanOrthwick,
Bettinger,	Goodrich,	Oviatt,	Vickary,
Bentley,	Haskin,	Pardee,	Vroman,
Breen,	Hoaglin,	Perkins,	Watson, H.
Brock,	Houk,	Pierce,	Watts,
Burr,	Kallander,	Powers,	Wellman,
Cady,	Kirby,	Preston,	Williams, W.W
Chamberlain,	Lakey,	Reader,	Wilson,
Chapell,			65

NAYS.

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Title agreed to.

On motion of Mr. Linton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 409, manuscript entitled

A bill to amend act No. 307 of the session laws of 1885, being "An act to revise and amend the charter of the city of West Bay City, and to repeal all acts and parts of acts in conflict therewith," by amending sections one and three of title one defining the boundaries and providing for a new ward therein to be numbered sixth ward, and by adding a new section thereto to be numbered section four, and by amending section eight of title three, sections 8, 17, 22, 23 and 43 of title V, entire title XI, by substituting a new title therefor, to stand as title XI, section 3, and the title of title XII, section 3 of title XIII, section 12 of title XIV, of an act entitled and act to revise and amend the charter of West Bay City, and to repeal all acts and parts of acts in conflict therewith, be-

ing act No. 307 of the session laws of 1885, approved April 1st, 1885, and to add a new title thereto, containing sections 1 to 8, inclusive, to stand as title XVIII thereof.

Also,

House bill No. 572 (file No. 290), entitled

A bill to amend sections 1, 3, 5, 7, 8, 15, 19, 32, 69, 84, 95, 98, and 104 of an act entitled "An act to revise an act to incorporate the city of Bay City," approved March 30, 1885, as amended and revised by the several acts amendatory and revisionary thereof, and to add twenty-three new sections thereto to stand as sections 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, and 171, and to repeal sections 90 and 101 of said act,

ROBERT Y. OGG, *Chairman*.

Report accepted.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 816, entitled

A bill to authorize the city of Kalamazoo to purchase grounds, erect buildings thereon, and maintain a city hospital,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Lakey,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott	Mr. Cole,	Mr. Kirby,	Mr. Rumsey,
Allen,	Crocker,	Lakey,	Simpson,
Anderson,	Damon,	McCormick,	Snow,
Ashton,	Diekema,	McKie,	Spencer,
Baker, W. A.,	Dillon,	Mulvey,	Stuart,
Baldwin,	Dougherty,	Ogg,	Thompson,
Bardwell,	Douglass,	O'Keefe,	Tindall,
Bates,	Eldred,	Oviatt,	Van Orthwick,
Baumgardner,	Engleman,	Pardee,	Vickary,
Beecher,	Goodrich,	Perkins,	Watson, H.,
Bettinger,	Hoaglin,	Powers,	Watts,
Bentley,	Hosford,	Preston,	Webber,
Breen,	Houk,	Reader,	Wellman,
Brock,	Hunt,	Rentz,	Williams, T. H
Burr,	Jones,	Robinson, J. W.	Williams, W. W
Cady,	Kallander,	Robinson, R.,	Wilson,
Case,	Kelley,	Rogers,	Wood,
Chamberlain,	Killeen,	Rounsiville,	Speaker,
Chapell,			

NAYS.

Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 754, entitled

A bill to amend Sec. 2 of title 23 of act No. 302 of the session laws of 1875, entitled "An act to amend an act entitled an act to revise the charter of the city of Holland, being amendatory to an act entitled an act to incorporate the city of Holland, approved March 23, 1871, which became a law April 2, 1873, approved April 2, 1875, as amended by act No. 268 of the session laws of 1877, approved March 22, 1877, as amended by act No. 331 of the session laws of 1885, approved April 29, 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapell,	Mr. Killean,	Mr. Robinson R.,
Allen,	Chapman,	Kirby,	Rogers,
Anderson,	Cole,	Lakey,	Rounsville,
Ashton,	Crocker,	Manly,	Rumsey,
Baker, S,	Damon,	McCormick,	Simpson,
Baker, W. A.,	Diekema,	McKie,	Spencer,
Baldwin,	Dillon,	McMillan,	Stuart,
Bardwell,	Dougherty,	Mulvey,	Thompson,
Bates,	Douglass,	Ogg,	Tindall,
Baumgardner,	Dunbar,	O'Keefe,	Van Orthwick,
Beecher,	Eldred,	Oviatt,	Vickary,
Bettinger,	Engleman,	Pardee,	Watson, H.
Bentley,	Goodrich,	Perkins,	Watts,
Breen,	Hill,	Pierce,	Webber,
Brock,	Hoaglin,	Powers,	Weilman,
Burr,	Houk,	Preston,	Williams, W. W.
Cady,	Jones,	Reader,	Wilson,
Case,	Kallander,	Rentz,	Wood,
Chamberlain,	Kelly,	Robinson, J. W.	Speaker, 76

NAYS.

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Title agreed to.

On motion of Mr. Diekema,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, April 15, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State

House bill No. 356, (file No. 173), being

An act to authorize the corporation of suburban homestead, villa park and summer resort associations,

Also,

[House bill No. 807 (file No. 283), being]

An act to change the several names of Peter Curtis, Clarisse Curtis, Peter Curtis, jr., Eva Curtis, Mari Blanche Curtis, and Sophia Curtis, to Peter Couture, Clarisse Couture, Peter Couture, jr., Eva Couture, Mari Blanche Couture, and Sophia Couture, respectively,

Also,

[House bill No. 815, being]

An act to incorporate the village of Hadley in the county of Lapeer and State of Michigan.

C. G. LUCE, Governor.

The message was laid on the table.

The Speaker also announced the following :

EXECUTIVE OFFICE, }
Lansing, April 14, 1887. }

To the House of Representatives :

I have this day approved, signed and deposited in the office of the Secretary of State,

House bill No. 154 (file No. 68), being

An act to make possession of game or fish out of season *prima facie* evidence of the violation of the laws protecting the same.

C. G. LUCE, Governor.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 14, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 627, entitled

A bill to amend sections 1, 3, 4, 23 and 28 of title 2, sections 3, 9, 10, and 11 of title 3, sections 5, 11, 13, 26, 31, 32 and 33 of title 4, sections 2, and 8 of title 5, sections 2, 6, 10, 17, 28, 29, 30, 36 and 37 of title 6, sections 1 and 2 of title 9, sections 24 and 29 of title ten of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids,' approved April 2, 1850, as amended by the several acts amenda-

tory thereof," approved March 29, 1877, as amended by the several acts amendatory thereof; and to repeal sections 7 and 8 of title 2, sections 19 and 27 of title 3, and sections 27, 28, 29 and 30 of title 4, of said act, as amended by the several acts amendatory thereof, and to add to title 6 of said act 7 new sections to stand and be known and numbered as sections 51, 52, 53, 54, 55, 56 and 57 of said title 6, respectively, and to add to title 10 of said act, a new section to stand and be known and numbered as section 30 of said title 10; and to provide that the section of said act now known and numbered as section 30 of title 10 of said act shall hereafter stand and be known and numbered as section 31 of title 10 of said act,

And to inform the House that the Senate has amended the same, as follows, viz.:

1. By striking out enacting section one and inserting in lieu thereof the following to stand as such section:

SECTION 1. *The People of the State of Michigan enact*, That sections 1, 3, 4, 23, and 28 of title 2; sections 3, 9, 10, and 11 of title 3; sections 5, 11, 13, 26, 31, 32, and 33 of title 4; sections 2 and 8 of title 5; sections 2, 6, 10, 17, 28, 29, 30, 36, and 37 of title 6; sections 1 and 2 of title 9; sections 24 and 29 of title 10 of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids,' approved April 2, 1850, as amended by the several acts amendatory thereof," approved March 29, 1877, as amended by the several acts amendatory thereof be and the same are hereby amended so as to read as hereinafter set forth; and that sections 7 and 8 of title 2; sections 19 and 27 of title 3, and sections 27, 28, 29, and 30 of title 4 of said act as amended by the several acts amendatory thereof be and the same are hereby repealed; and that 7 new sections be and are hereby added to title 6 of said act to stand, be known, and numbered as sections 51, 52, 53, 54, 55, 56, and 57 of said title 6; and that there be and is hereby added to title 10 of said act a new section to stand and be known and numbered as section 30 of said title 10; and that the section of said act now known and numbered as section 30 of title 10 of said act shall hereafter stand and be known and numbered as section 31 of title 10 of said act.

2. By striking out all the intermediate enacting sections of the bill.

3. By inserting the following in section 11, of title III, viz.:

On page 34 of the bill—Insert in line 14 after the word "depository" the words "or depositories;" after the word "selected," in line 15, the words "and designated," and after the word "his," same line, the words "or their;" after the word "city," in line 23, the words "the books required to be kept by such depository shall at all times during the business hours of the day be open to and subject to be inspected by any member or members of the common council, the city treasurer, the comptroller or city attorney;" after the word "institution" in line 25, the words "or institutions."

On page 35 of the bill—Insert after the word "institution" in line 2 the words "or institutions;" at the end of line 5, the following: "Every contract with a banking institution shall contain an agreement authorizing the common council, whenever it shall deem the interests of the city require it, to terminate such contract and withdraw the money deposited, and in case of such termination the books required to be kept by such depositories shall be delivered into the custody of the city clerk of such depository;" after the word "depository" in each of lines 9, 10, 13, 16, 18, 19 and 22, the words

"or depositories;" and change the word "institution" in line 28 to the plural.

On page 36 of the bill insert after the word "moneys," in line 5, the words, "in such quantity or quantities as may be for the best interest of said city;" after the word "institution," in line 6, the words, "or institutions;" after the word "depository," in line 8, and in line 13, the words, "or depositories;" after the word "warrants," in line 14, the words, "designating the depository;" after the word "depository," in line 12, the following: "or depositories. In case no agreement is entered into for depositing the money of the city, or in case such agreement is terminated and at any time there shall be no such depository, the city treasurer shall receive and retain in his hands all money belonging to the city and which shall come to his hands, and shall pay the same out upon warrants drawn upon him as provided by law."

On page 37 of the bill insert after the word "depository" in line 3, the words "or depositories designated by the council;" after the word "depository" in line 13 the words "or depositories;" after the word "depository" in line 28 the words "or depositories designated by the council."

On page 38 of the bill add to the end of the section the following: "The common council are hereby authorized to require new or additional bonds or security from the city treasurer and from the depositories of the moneys belonging to the city at any time or times when they shall deem the interests of the city require it should be done to protect the city against loss or the risk of loss of moneys deposited or to be deposited with such treasurer or city depositories."

4. By striking out of section 33 on page 42 of the bill all the written proviso.

5. By striking out sections three, four, five, six, seven, eleven, twelve, thirteen, fourteen, fifteen and eighteen of title five.

6. By striking out section 13 of title 10,

And further to inform the House that the Senate has amended the title to the bill so as to read as follows:

A bill to amend sections 1, 3, 4, 23 and 28 of title 2, sections 3, 9, 10 11 and 27 of title 3, sections 5, 11, 13, 26, 31, 32 and 33 of title 4, sections 2, 3, 4, 8 of title 5, sections 2, 6, 10, 17, 28, 29, 30, 36 and 37 of title 6, sections 1 and 2 of title 9, sections 24 and 29 of title ten of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids,' approved April 2, 1850, as amended by the several acts amendatory thereof," approved March 29, 1877, as amended by the several acts amendatory thereof; and to repeal sections 7 and 8 of title 2, sections 19 and 27 of title 3, and secs. 27, 28, 29 and 30 of title 4, of said act, as amended by the several acts amendatory thereof; and to add to title 6 of said act 7 new sections to stand and to be known and numbered as sections 51, 52, 53, 54, 55, 56 and 57 of said title 6, respectively, and to add to title 10 of said act a new section to stand and be known and numbered as section 30 of said title 10; and to provide that the section of said act now known and numbered as section 30 of title 10 of said act shall hereafter stand and be known and numbered as section 31 of title 10 of said act,

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by

a two-thirds vote of all the Senators elect, has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Killean moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day;

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Killean,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Killean,	Mr. Rogers,
Allen,	Dakin,	Linton,	Rounsville,
Anderson,	Damon,	Makelim,	Rumsey,
Ashton,	Diekema,	Manly,	Simpson,
Baker, W. A.,	Dillon,	McCormick,	Snow, ,
Baldwin,	Dougherty,	McGregor,	Spencer,
Bardwell,	Douglass,	McKie,	Stuart,
Bates,	Dunbar,	McMillan,	Thompson,
Baumgardner,	Eldred,	Mulvey,	Tindall,
Beecher,	Engleman,	Ogg,	VanOrthwick,
Bettinger,	Goodrich,	O'Keefe,	Vroman,
Bentley,	Haskin,	Oviatt,	Washburn,
Breen,	Hill,	Perkins,	Watson, H.,
Brock,	Hoaglin,	Pierce,	Watts,
Burr,	Holt,	Powers,	Webber,
Cady,	Houk,	Preston,	Wellman,
Case,	Hunt,	Reader,	Williams, W. W.
Chamberlain,	Jones,	Rantz,	Wilson,
Chappell,	Kallender,	Robinson, J. W.	Wood,
Chapman,	Kelley,	Robinson, R.,	Speaker, 80

NAYS.

Mr. Hosford, 1

The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 14, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to request the House to return to the Senate the following concurrent resolution:

WHEREAS, The edition of the Legislative manual for 1887, issued in conformity to law, is inadequate to supply the demand; therefore

Be it resolved by the Senate (the House concurring), That the Secretary of State be instructed to have a second edition of 1,500 copies printed at as early a date as practicable, the same to be held for sale at a price sufficient to cover the cost thereof.

Very respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

On motion of Mr. H. Watson,
The resolution was taken from the table, and
On motion of Mr. H. Watson,
The resolution was directed to be returned to the Senate in accordance with the request therefor.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 15, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:
Senate bill No. 267, entitled

A bill to amend section 1, No. 263, of the public acts of 1879, entitled "An act to provide for the distribution of a legislative manual," approved May 31, 1879.

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and pending its reference to a committee,

On motion of Mr. H. Watson,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Killian,	Mr. Rounsville,
Allen,	Dakin,	Kirby,	Rumsey,
Anderson,	Damon,	Lakey,	Simpson,
Ashton,	Diekema,	Linton,	Snow,
Baker, S.,	Dillon,	Manly,	Spencer,
Baker, W. A.,	Dougherty,	McCormick,	Stuart,
Baldwin,	Douglass,	McGregor,	Thompson,
Bardwell,	Dunbar,	McKie,	Tindall,
Bates,	Eldred,	McMillan,	VanOrtheast,
Baumgardner,	Engleman,	Mulvey,	Vroman,
Beecher,	Goodrich,	Oviatt,	Washburn,

Mr. Bettinger,	Mr. Hill,	Mr. Pardee,	Mr. Watson, H.,
Bentley,	Hoaglin,	Perkins,	Watts,
Breen,	Holt,	Pierce,	Webber,
Brock,	Hosford,	Powers,	Wellman,
Burr,	Houk,	Preston,	Williams, T. H.
Cady,	Hunt,	Reader,	Wilson,
Case,	Jones,	Rentz,	Wood,
Chamberlain,	Kallender,	Robinson, J. W.	Speaker.
Chapell,	Kelley,	Robinson, R.,	79

NAYS.

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Title agreed to.

On motion of Mr. H. Watson,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

On motion of Mr. Jones,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
 Lansing, April 14, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 423 (file No. 239), entitled

A bill to incorporate the village of Naubinway, in Mackinaw county, and Seate of Michigan.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
 Lansing, April 15, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to request the House to return to the Senate the following bill:

House bill No. 360 (file No. 154), entitled

A bill to amend section 4907 of the compiled laws of 1871, as amended by act number 45 of the session laws of 1883, relative to the supreme court and the practice therein.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

On motion of Mr. H. Watson,

The committee on engrossment and enrollment were discharged from the further consideration of the bill, and the Clerk was directed to return the bill to the Senate in accordance with the request therefor.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 14, 1887.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 235, entitled

A bill to incorporate the city of Marine City, in the county of St. Clair, and repeal act No. 328 of the local acts of 1885, approved April 23, 1885, entitled "An act to re-incorporate the village of Marine City, in St. Clair county,"

Which passed the Senate on March 30, 1887, as appears by message of that date, and passed the House on March 30, 1887, as appears by message of that date, and which was returned to the Senate by the Governor without his approval, as appears by his message dated April 6, 1887, his objections there to being as follows:

EXECUTIVE OFFICE, }
Lansing, April 1, 1887.

To the Senate:

I very respectfully return to your body for reconsideration a bill originating therein, entitled "An act to incorporate the city of Marine City in the county of St. Clair, and to repeal act number 328 of the local acts of 1885."

This bill not only provides for the incorporation of a city, but for the annexation of territory outside of the present limits of the village of Marine City. The territory annexed extends beyond Belle river, the present boundary line of the village, and includes about 700 acres of farming land. To this provision of the bill a majority of the taxpayers owning and residing within the territory proposed to be annexed strongly protest. Upon the petition asking for incorporation and annexation the names of 38 taxpayers within the territory proposed to be annexed, representing \$14,400 of taxable property appear. Upon the remonstrance 58 names representing \$85,600 of taxable property within the same territory, are affixed. The protestants claim they were not given an opportunity to appear before the committee of either House while the bill, in its present form, was under consideration and enter their protests. The bill passed the Senate, was immediately sent to the House, referred to a committee and at once reported back, rules suspended and the bill passed without discussion and without giving an opportunity to present objections. Under these circumstances it seems but a simple act of justice to the protestants to place the bill where it may be reconsidered and objections presented. For this purpose it is respectfully returned without my signature to the House wherein it originated.

C. G. LUCE, *Governor.*

And now to inform the House that the said bill has passed the Senate, the objections of the Governor to the contrary notwithstanding, by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Mr. Powers moved to reconsider the vote by which the House passed the bill,

Which motion prevailed.

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,

On motion of Mr. Powers,

The bill was laid on the table.

Mr. Cole offered the following:

Resolved, That a committee of five be appointed by the Speaker to visit Marine City to obtain further information in reference to Senate bill No. 235, entitled "A bill to incorporate the city of Marine City"; said committee to report to the House before further action is taken on said bill.

Mr. Rumsey moved to amend the resolution by adding at the end thereof the words, "*Provided*, said committee shall cause no expense to themselves or the State."

Pending which,

Mr. W. A. Baker moved that the resolution do lie on the table,

Which motion did not prevail.

The motion to amend the resolution did not then prevail.

The resolution was then adopted.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 15, 1887. }

To the Speaker of the House of Representatives :

Sir—I am instructed to transmit to the House the following concurrent resolution:

WHEREAS, The edition of the Legislative manual for 1887, issued in conformity to law, is inadequate to supply the demand; therefore

Be it resolved by the Senate (the House concurring) That the Secretary of State be instructed to have a second edition of 1,500 copies printed at as early a date as practicable, the same to be disposed of as the present Legislature may direct,

Which has been adopted by the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The question being on concurring in the adoption of the resolution,

The resolution was adopted.

The House took up the order of

REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred House bill No. 629, entitled

A bill to amend sections 1, 2, 3, 5 and 7 of act No. 389, entitled "An act to establish a board of police and fire commissioners in the city of Grand Rapids,

and to prescribe their powers and duties," approved May 24, 1881, as amended by act number 374, approved June 3, 1885,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. N. BATES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred House bill No. 628, entitled

A bill to amend sections 1, 2, 4, 5 and 22 of act No. 321, entitled "An act to authorize a board of public works in and for the city of Grand Rapids," approved March 22, 1873, as amended by the several acts amendatory thereof, and to add to said act a new section to be known and numbered as section 24 of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred House bill No. 580, entitled

A bill to amend section 23, of act No. 250, of the session laws of 1873, being an act to revise the charter of the city of Coldwater, as amended by act No. 358, of the local acts of the session laws of 1879, by adding a proviso for alternative sentences by justices of the peace,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred House bill No. 630, entitled

A bill to amend sections 11, 12, 13, and 19, of act No. 331, entitled an act to revise an act entitled "An act relative to free schools in the city

of Grand Rapids," approved March 15, 1871, as amended by an act approved April 24, 1875, approved May 9, 1877, as amended by the several acts amendatory thereof,

Respectfully report that they have had the same under consideration, and have ordered me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to amend sections 11, 13, and 19 of act No. 331, entitled an act to revise an act entitled "An act relative to free schools in the city of Grand Rapids," approved March 15, 1871, as amended by an act approved April 24, 1875, approved May 9, 1877, as amended by the several acts amendatory thereof,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Killean,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Cole,	Mr. Lakey,	Mr. Rounsville,
Anderson,	Damon,	Manly,	Rumsey,
Ashton,	Diekema,	McCormick,	Simpson,
Baker, S.,	Dunbar,	McGregor,	Snow,
Baker, W. A.,	Eldred,	McKie,	Spencer,
Baldwin,	Goodrich,	Mulvey,	Stuart,
Bardwell,	Haskin,	O'Keefe,	Thompson,
Beecher,	Hill,	Pardee,	Tindall,
Bettinger,	Hosford,	Perkins,	Vickary,
Bentley,	Hunt,	Powers,	Watson, H.,
Breen,	Jones,	Reader,	Watts,
Chamberlain,	Kelley,	Robinson, J. W.	Webber,
Chapell,	Killean,	Robinson, R.,	Wilson,
Chapman,	Kirby,	Rogers,	Speaker, 56

NAYS.

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Title agreed to.

Mr. Cole moved that there be a call of the House,
Which motion did not prevail.

GENERAL ORDER.

On motion of Mr. Chapman,

The House went into committee of the whole on the general order,
Whereupon the Speaker called Mr. Cole to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bills:

1. Senate bill No. 248 (file No. 128), entitled

A bill to legalize the proceedings had in laying out, cleaning out, clearing, deepening and completing a certain ditch or drain in the township of Byron, in the county of Kent, known and designated as "The Buck Creek drain," and to legalize the tax therefor.

2. Senate bill No. 147 (file No. 173), entitled

A bill to amend section 503 of the compiled laws of 1871, being section 511 of Howell's Statutes as amended by act No. 134 of the session laws of 1883, being an act relative to the election of county auditors for the county of Wayne.

3. Senate bill No. 65 (file No. 57), entitled

A bill to amend section 11 of chapter 4, act number 164, laws of 1881, relating to the duties of township clerks in apportioning school moneys.

4. House bill No. 404 (file No. 193) entitled

A bill to amend section 10 of chapter 11 of act No. 243 of the public acts of 1881, entitled, "An act to revise and consolidate the laws relating to the establishing, opening, improvement and maintenance of highways and private roads, and the building, repairing and preservation of bridges within this State.

5. House bill No. 104 (file No. 115), entitled

A bill to provide for laying out and establishing a State road in Bay county, to be known as the "Williams and Garfield State road extension."

6. Senate bill No. 301 (file No. 141), entitled

A bill to authorize the Calhoun county agricultural society to mortgage real estate.

7. Senate bill No. 115 (file No. 76), entitled

A bill concerning the testimony of minors.

8. Senate bill No. 99 (file No. 34), entitled

A bill making an appropriation for the Pioneer Society of the State of Michigan for the years 1887 and 1888.

9. Senate bill No. 242 (file No. 78), entitled

A bill to authorize the formation of corporations for the purpose of improving rivers which form, in whole or part, the boundary between this and any adjoining State, and their tributaries, and for driving, sorting, holding and delivering logs thereon.

10. House bill No. 600 (file No. 285), entitled

A bill to fix the per diem compensation of members of the State Legislature from the Upper Peninsula for and during the session of 1877.

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following joint resolution:

11. House joint resolution No. 6 (file No. 7), entitled

Joint resolution authorizing certain "Ottawa county scrip" to be used in locating swamp lands in any of the counties of the lower peninsula.

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following bills:

12. Senate bill No. 88 (file No. 65), entitled

A bill to amend section 16 of chapter 9 of compiled laws of 1871 as amended, being section 452 of Howell's annotated statutes.

13. House bill No. 525 (file No. 278), entitled

A bill to amend chapter 52 of Howell's annotated statutes of Michigan, relative to the "protection of children in certain cases," by adding four new sections thereto to stand as sections 7, 8, 9 and 10 of said act.

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following bill:

14. House bill No. 791, (file No. 221), entitled

A bill to amend section 5 of act No. 269 of the session laws of 1881, being compiler's section 1695 of Howell's annotated statutes, relative to the appointment of special drain commissioners to construct drains affecting lands lying in more than one county,

And have directed their chairman to report the same back to the House with the recommendation that it be laid on the table.

M. T. COLE, *Chairman*.

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, and tenth named bills and eleventh named joint resolution were placed on the order of third reading.

On motion of Mr. Haskin,

The House concurred in the amendments made by the committee to the twelfth and thirteenth named bills, and they were placed on the order of third reading.

On motion of Mr. Hill,

The Senate concurred in the recommendation of the committee relative to the fourteenth named bill, and the same was laid on the table.

The Speaker called the Speaker *pro tem.* to the chair.

Mr. Markey moved to take from the table,

House bill No. 583, entitled

A bill to detach certain territory from the township of Gerrish, in Roscommon county, in this State, and to organize the township of Lake, in said county,

Which motion prevailed.

On motion of Mr. Markey,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Linton,	Mr. Robinson, R.,
Allen,	Diekema,	Makelim,	Rounsville,
Anderson,	Dougherty,	Markey,	Rumsey,
Ashton,	Douglass,	Manly,	Simpson,
Baker, S.,	Dunbar,	McCormick,	Snow,
Baker, W. A.,	Eldred,	McGregor,	Spencer,
Baldwin,	Goodrich,	McKie,	Stuart,
Bardwell,	Green,	Mulvey,	Thompson,
Bettinger,	Haskin,	O'Keefe,	Tindall,
Bentley,	Hill,	Oviatt,	Van Orthwick,
Breen,	Hoaglin,	Pardee,	Vickary,

Mr. Cady,	Mr. Hosford,	Mr. Perkins,	• Mr. Watson, H.,
Case,	Jones,	Powers,	Watts,
Chapell,	Kelley,	Reader,	Webber,
Chapman,	Killean,	Rentz,	Wilson,
Cole,	Kirby,	Robinson, J. W.	Speaker,
Dakin,	Lakey,		<i>pro tem.</i> 66

NAYS.

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Title agreed to.

On motion of Mr. Markey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Killean,

By a vote of two-thirds of all the members elect,

House bill No. 630, entitled

A bill to amend sections 11, 13 and 19 of an act entitled "An act to revise an act entitled 'An act relative to free schools in the city of Grand Rapids,'" approved March 15, 1871, as amended by an act approved April 24, 1875, approved May 9, 1877, as amended by the several acts amendatory thereof,

Was ordered to take immediate effect.

Mr. Lakey moved that the House do now adjourn,

Which motion prevailed, and the Speaker *pro tem.* declared the House adjourned until Monday next at 9:30 o'clock, P. M.

Lansing, Monday, April 18, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Roll called: quorum present.

Absent without leave: Messrs. Brock, Crocker, Cross, Damon, Diekema, Douglass, Engleman, Green, Hill, Hoobler, Killean, McMillan, Rumsey, Snow, Stuart, Vickary, Watts, Webber, and T. H. Williams.

On motion of Mr. Jones,

Leave of absence was granted to all absentees for the evening.

On motion of Mr. Dillon,

Leave of absence was granted to Mr. McMillan indefinitely on account of sickness.

On motion of Mr. Pierce,

Leave of absence was granted to Mr. Engleman until Wednesday next.

Mr. Chapman moved that a respectful message be sent to the Senate asking the return to the House of the following resolution:

WHEREAS, The edition of the Legislative manual for 1887, issued in conformity to law, is inadequate to supply the demand; therefore

Be it Resolved by the Senate (the House concurring) That the Secretary of State be instructed to have a second edition of 1,500 copies printed at as early a date as practicable, the same to be disposed of as the present Legislature may direct.

On agreeing to which,

Mr. Jones demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Jones,	Mr. Pardee,
Ashton,	Eldred,	Lakey,	Pettit,
Baker, W. A.,	Grenell,	McGregor,	Reader,
Bates,	Hoaglin,	McKie,	Robinson, R.,
Case,	Hunt,	Mulvey,	Williams, W. W

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NAYS.

Mr. Allen,	Mr. Dillon,	Mr. Lincoln,	Mr. Robinson, J. W.
Baker, S.,	Dunbar,	Linton,	Rogers,
Baldwin,	Goodrich,	Makelim,	Rounsville,
Bardwell,	Harper,	Manly,	Simpson,
Beecher,	Herrington,	McCormick,	Spencer,
Bettinger,	Holt,	O'Keefe,	Thompson,
Breen,	Hosford,	Oviatt,	Vroman,
Chamberlain,	Houk,	Perkins,	Washburn,
Chapell,	Kallender,	Pierce,	Watson, F. H.
Cole,	Kelley,	Powers,	Watson, H.
Dakin,	Kirby,	Rentz,	Wellman, 44

Mr. Lincoln moved to take from the table

House bill No. 889, entitled

A bill to appropriate the sum of \$8,000 to repair the Wildfowl, Bay and Cass State road in Tuscola and Human counties, and appoint special commissioners on the same,

Which motion prevailed.

On motion of Mr. Lincoln,

The bill was referred to the committee on local taxation.

Mr. Manly moved to take from the table

House bill No. 26 (file No. 4), entitled

A bill to regulate the uniformity of text books in public schools throughout the State and the distribution of the same, and to repeal all statutes and acts contravening the provisions of this act,

Which motion prevailed.

On motion of Mr. Manly,

The bill was referred to the committee on labor interests.

On motion of Mr. Lakey,

The House adjourned.

Lansing, Tuesday, April 19, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Beale.

Roll called: quorum present.

Absent without leave: Messrs. Brock, Crocker, Cross, Damon, Linton, Mulvey and Stuart.

On motion of Mr. Spencer,

Leave of absence was granted to Mr. Damon indefinitely on account of sickness.

On motion of Mr. Lakey,

Leave of absence was granted to all absentees for the morning session.

On motion of Mr. Oviatt,

Leave of absence was granted to Mr. Case indefinitely on account of sickness.

PRESENTATION OF PETITIONS.

No. 869. By Mr. Breen: Petition of Dell C. McClure, John Burt and numerous others, K. of L., asking for the passage of the bill forfeiting the unearned portion of the Marquette, Houghton and Ontonagon railroad grant,

Also,

No. 870: Petition of Assembly No. 3954 K. of L., same subject,

Also,

No. 871: Petition of T. V. Powderly Assembly No. 7606, K. of L., same subject.

Also,

No. 872: Petition of Wendell Phillips Assembly K. of L., No. 4293, same subject,

Also,

No. 873: Petition of Thos. Payne Assembly K. of L. No. 3086, same subject.

Also,

No. 874. Petition of G. Graham and numerous other K. of L., asking for the passage of the bill to prohibit corporations from holding land for a longer term than ten years,

Referred to the committee on public lands.

Also,

No. 875. Petition of Dell McClure, John Burl and numerous other K. of L., asking for the passage of the bill to prohibit the employment of aliens by corporations,

Also,

No. 876. Petition of John Burt and numerous other K. of L., asking for the passage of the Ogg bill to provide for the better protection of health, safety, and comfort of persons employed in shops and factories,

Also,

No. 877. Petition of John Burt and numerous other K. of L., asking for the passage of the Ogg bill to prohibit the payment of wages in scrip or store orders.

Referred to committee on labor interests.

Also,

No. 878: Petition of G. Graham, John Burt, and numerous other K. of L., asking for the passage of the Washburn bill to make employers liable for injuries sustained by their employed by reason of uncovered or unsafe machinery or scaffolding,

Also,

No. 879: Petition of John Burt and numerous other K. of L., asking for the passage of the Grenell bill to preserve the purity of elections and to provide a secret ballot,

Referred to the committee on judiciary.

Also,

No. 880: Petition of John Burt, Dell and C. McClure, and numerous other K. of L., asking for the passage of the Dillon bill, for the compulsory education of children,

Referred to the committee on education.

Also,

No. 881: Petition of G. Graham and numerous other K. of L., asking for the passage of the Hosford bill, preventing corporations from engaging in retail mercantile business,

Referred to the committee on private corporations.

Also,

No. 882: Petition of John Burt, R. S. House, and numerous other K. of L., asking for the passage of the bill to abolish contract labor in the State prison,

Referred to the committee on State prison.

No. 883. By Mr. McKie: Petition of Fidelity Assembly No. 1872 K. of L. of Buchanan, for the passage of the several labor bills.

On demand of Mr. McKie,

The petition was read at length and spread at large on the journal as follows:

To the Honorable the Senate and House of Representatives of the State of Michigan:

GENTLEMEN—At a regular meeting of Fidelity Assembly No. 1872 Knights of Labor, located at Buchanan, Michigan, the following resolution was adopted, to wit:

Resolved, That Fidelity Assembly No. 1872 do most respectfully petition the Senate and the House of Representatives of the State of Michigan to pass the following bills, to wit:

Breen bill forfeiting unearned land grants,

Breen bill to provide for mine inspectors,

Dillon bill to provide for compulsory education of children,

Grenell bill making general election days legal holidays,

Grenell bill to preserve the purity of elections and to provide a secret ballot,

Grenell bill making nine hours a legal work day for women and children,

Grenell bill to prohibit the employment of aliens by corporations,

Holbrook bill to protect workmen against wrongful requirements by employers,

Hosford bill to carry into effect the provision of the constitution that no corporation shall hold land more than ten years,

Hosford bill preventing corporations from engaging in retail mercantile business,

Ogg bill to abolish contract labor in State prisons,
 Ogg bill to prohibit the use of scrip or store orders in payment of wages,
 Ogg bill to prohibit non-resident aliens from holding land,
 Ogg bill to provide for better protection of health, safety and comfort of persons employed in shops and factories,

Rairden bill to repeal the Baker conspiracy law,

Washburn bill to make employers liable for injuries sustained by their employes by reason of uncovered or unsafe machinery;

Resolved further, That the recording secretary, Squire Vinton, of this assembly, furnish our representative, the Honorable James McKie with a copy of above resolution.

I do hereby certify that the above resolution was read and unanimously approved of at a regular meeting of local assembly No. 1872 of the Knights of Labor.

SQUIRE VINTON.

Referred to the committee on labor interests.

No. 884. By Mr. Tindall: Petition of J. M. Hallock, G. W. King and 127 other residents of Oakland county, asking for the passage of Senate bill No. 114, authorizing township school districts.

Referred to the committee on education.

No. 885. By Mr. H. Watson: petition relative to soldiers' bounties.

On demand of Mr. H. Watson,

The petition was read at length and spread at large upon the journal, as follows:

We the undersigned, late soldiers of the war of 1861-5, do hereby petition the Honorable Legislature of the State of Michigan to pass a law granting to each soldier who enlisted during said war, and who received no bounty, the sum of one hundred dollars in lieu of all other bounties:

Albert Emmmons,	E. H. Jones,
John C. Wolverton,	James O. Palmer,
William Lambertson,	Thomas Crawford,
John Hunter,	Louis Gotting,
Carl Laing,	R. H. Gibson,
John H. Rhoades.	

Referred to the committee on ways and means.

No. 886. By Mr. H. Watson: Petition relative to the garnishee law.

On demand of Mr. H. Watson,

The petition was read at length and spread at large on the journal as follows:

We, the undersigned business men of Greenville and vicinity, respectfully request you to work and vote for House bill No. 909, providing for the reduction of the exemption allowed married men in garnishee cases, and your petitioners will ever pray.

Referred to the committee on judiciary.

No. 887. By Mr. Henry Watson: Petition of Charles J. Church and numerous others asking for the reduction of the exemption allowed married men in garnishee cases.

Referred to the committee on judiciary.

No. 888. By Mr. Pierce: Petition of Knights of Labor of Plymouth asking for the passage of several labor bills:

On demand of Mr. Pierce

The petition was read at length and spread at large on the journal, as follows:

Plymouth, Mich., April 7, 1887.

To the Honorable the Senators and Representatives in the Legislature of the State of Michigan:

We, the undersigned, citizens of Michigan and members of the Knights of Labor, petition your honorable body to secure the enactment into a law of the following bills, viz: "Breen bill, forfeiting unearned land grants;" the "Grenell bill, to prescribe the purity of elections and to provide a secret ballot;" the "Ogg bill, to abolish contract labor in State prisons;" the "Ogg bill, to prohibit non-resident aliens from holding land;" the "Rairden bill, to repeal the Baker conspiracy law;" "Dillon bill, to provide for compulsory education of children."

Submitted to this assembly and passed by a unanimous vote.

C. G. CURTISS, *M. W.*

C. G. CURTISS, JR.,
Sec. pro tem.

Referred to the committee on labor interests.

No. 889. By Mr. Perkins: Petition of H. Chambers, Wm. Evarts and many others of Cheboygan, asking for the passage of House bill 909, relative to garnishee law.

Also,

No. 890. Petition of A. G. Owen and many others, same subject,

Referred to the committee on judiciary.

No. 891. By Mr. McCormick: Petition of M. Baily and 25 other business men of Plainwell, Mich., asking for the passage of House bill No. 909, providing for \$1 per day exemption to be allowed married men in garnishee cases.

Referred to the committee on the judiciary.

No. 892. By Mr. Bates: Petition of citizens of Detroit, relative to the insurance bureau.

On demand of Mr. Bates,

The petition was read at length, and spread at large on the journal as follows:

To the Honorable the House of Representatives of the State of Michigan, assembled at Lansing, Michigan.

WHEREAS, There is now pending before the Legislature of the State of Michigan, a bill which we regard as important and in accordance with right, namely, House file No. 147, entitled "A bill to amend section two of act No. 108 of the session laws of 1871, as amended, being compiler's section 4207 of Howell's annotated statutes relative to the insurance bureau;"

AND WHEREAS, We believe the passage of the bill would promote the efficiency of the insurance department in future, relative to the term of office of the Commissioner and would place the employes of the Insurance Bureau on the same basis as those of the other appointive offices;

AND WHEREAS, The revenue derived by the State and collected by the Insurance Commissioner amounts to over one hundred thousand dollars per annum; the expense of said department being less than seven thousand dollars per annum on the average, and as this amendment only calls for an increase of five hundred dollars to the expenses of said bureau, therefore we, the undersigned citizens of Michigan, desire to signify our approval of the

bill and respectfully urge its adoption as an act of justice to the insurance bureau.

J. S. Farrand,
 Wm. A. Butler,
 M. Early,
 C. A. Kent,
 (General) W. F. Reynolds, *U. S. A.*,
 L. M. Thayer,
 J. T. Patton,
State Agent the Standard Life and Accident Ins. Co.,
 Stewart Marks,
Sec'y Standard Life and Accident Ins. Co.,
 J. J. Clark,
Sec'y Detroit F. & M. Ins. Co.,
 E. O. Preston,
Sec'y Mich. F. & M. Ins. Co.,
 G. A. Watkins,
State Agent Penn. Mutual Life Ins. Co. of Philadelphia.

Referred to the committee on ways and means.

No. 893. By Mr. Killean: Petition of Good Intent Assembly No. 2667 Knights of Labor, relative to the Grenell bill for the purity of elections.

On demand of Mr. Killean,

The petition was read at length and spread at large on the journal as follows:

Grand Rapids, Mich., April 18, 1887.

Hon. John Killean, Lansing, Mich.:

DEAR SIR—At a regular meeting of "Good Intent" Assembly 2667 Knights of Labor of this city, held April 14th, 1887, the following preamble and resolution was unanimously adopted:

WHEREAS, The mode of voting at elections in vogue at present in this State, is undeniably conducive of corruption by intimidation of voters, and the influence of money in electing men to office of public trust, therefore be it

Resolved, That our representatives in the State Senate and Legislature be requested to use every honorable effort within their power to secure the passage of House bill No. 178 (file No. 166), introduced by Mr. Grenell, known as "A bill to preserve the purity of elections and guard against abuses of the elective franchise."

Hoping the above will receive your earnest consideration and hearty support.

Respectfully Yours,

ANDREW FIFE, R. S. 2667,
 W. A. HYDE, M. W.

Referred to the committee on judiciary.

No. 894. By Mr. Dillon: Petition of Andrew Fyfe, R. S. 2667, asking for the passage of the Grenell purity of election bill,

Referred to the committee on judiciary.

No. 895. By Mr. Dillon: Petition of Mike McClure and others asking for the passage of the Dillon bill for the compulsory education of children.

Also,

No. 896. Petition of T. V. Powderly, Assembly No. 7606, K. of L., same subject;

Also,

No. 897. petition of W. Boot and numerous others, same subject,
Referred to the committee on education.

No. 898 By Mr. F. H. Watson: Petition of P. M. Rowell and 70 others,
asking for the passage of the bill to protect the keepers of stallions,
Referred to the committee on agriculture.

No. 899. By Mr. Washburn: Petition of T. V. Powderly Assembly, of
Detroit, asking for the passage of the Washburn bill relative to the liability
of employers for injury to employés,

Also,

No. 900: Petition of W. Wilson and others of Detroit, same subject.
Referred to the committee on labor interests.

No. 901. By Mr. T. H. Williams: Petition of K. of L. Central City
Assembly, 3394, asking for the passage of the Grenell purity of election bill.
Referred to the committee on elections.

No. 902. By Mr. Hosford: Petition of T. V. Powderly Assembly No.
7606, asking for the passage of the Hosford bill preventing corporations
from engaging in retail mercantile business,

Also,

No. 903: Petition of Wm. J. Law and numerous others, same subject.
Referred to the committee on private corporations.

Also,

No. 904. Petition of O. Gebhard and other K. of L. of Detroit for the
passage of House file 262 relative to the holding of real estate by corpora-
tions,

Also,

No. 905: Petition of T. V. Powderly assembly No. 7606, same subject.
Referred to the committee on public lands.

No. 906. By Mr. Mulvey: Petition of local assembly 4487 K. of L. of
Marquette, asking for the passage of the various labor bills.
Referred to the committee on labor interests.

No. 907. By Mr. Hill: Petition of W. H. Faxon and 140 others, relative
to the passenger tariff bill.

On demand of Mr. Hill,

The petition was read at length, and spread at large on the journal, as
follows:

To the Honorable, the Legislature of the State of Michigan:

The undersigned, your petitioners, residents of the village of Ovid, Clin-
ton county, Mich., and vicinity, respectfully pray that a statute may be
passed by your honorable body providing that the maximum fare for the car-
riage of passengers by railroads in this State shall not exceed two cents per
mile.

Dated April 5, 1887.

Referred to the committee on railroads.

No. 908. By Mr. Simpson: Petition of J. B. Barnes and 19 others, asking
for the passage of House bill No. 909, relative to the garnishee law.

Referred to the committee on judiciary.

Nos. 909, 910, 911, 912, 913, 914 and 915. By Mr. Eldred: Petition of
W. S. Day and 100 other citizens of Battle Creek, asking for the passage of
The Grenell bill—Making nine hours a legal work-day for women and
children,

The Holbrook bill—To protect workmen against wrongful requirements by employers,

The Grenell bill—Making general election days legal holidays,

The Grenell bill—To prohibit the employment of aliens by corporations,

The Ogg bill—Forbidding the use of store orders in payment of wages,

The Ogg bill—To provide for the better protection of health, safety and comfort of persons employed in shops and factories,

And the Rairden bill—To repeal the baker conspiracy law.

Referred to the committee on labor interests.

Also,

Nos. 916, 917 and 918: Petition of W. S. Day and 100 others asking for the passage of the Washburn bill to make employers liable for injuries sustained by their employed by reason of uncovered or unsafe machinery or scaffolding; the Grenell bill, to preserve the purity of elections and to provide a secret ballot; and the Ogg bill, to prohibit non-resident aliens from holding land.

Referred to the committee on judiciary.

Also,

Nos. 919 and 920: Petition of W. S. Day and 100 others praying for the passage of the Breen bill, forfeiting unearned land grants; and the Hosford bill, to carry into effect the provision of the constitution that no corporation shall hold land more than ten years.

Referred to the committee on public lands.

Also,

No. 921: Petition of W. S. Day and 100 others asking for the passage of the Dillon bill, for the compulsory education of children.

Referred to the committee on education.

Also,

No. 922. Petition of W. S. Day and 100 others for the passage of the Breen bill in relation to the appointment of a mine inspector,

Referred to the committee on mines and minerals.

Also,

No. 923. Petition of W. S. Day and 100 others asking for the passage of the Hosford bill preventing corporations from engaging in retail mercantile business,

Referred to the committee on private corporations.

Also,

No. 924. Petition of W. S. Day and 100 others, asking for the passage of the Ogg bill to abolish contract labor in State prisons.

Referred to the committee on State prisons.

No. 925. By Mr. Anderson: Petition of 60 citizens of Norwich, Newaygo county, for the passage of the bill prohibiting the payment for labor in scrip or store orders.

On demand of Mr. Anderson,

The petition was read at length and spread at large on the journal as follows:

Norwich, Mich., April 4th, 1887.

To the Honorable Legislators now in session at Lansing:

We, the undersigned citizens of Newaygo county, Mich., do respectfully petition your honorable body that you do pass the bill that is now be-

fore your committee compelling manufacturers and corporations to pay their employes cash for their labor and do away with the store order system, and we will ever pray, etc.

Referred to the committee on labor interests.

REPORTS OF STANDING COMMITTEES.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 235 (file No. 84), entitled

A bill to protect fish and regulate fishing in the inland lakes, rivers, and streams within and bordering on the State, by providing close seasons for fishing, to prohibit the sale of certain kinds of fish, and to protect persons engaged in fish culture, and to repeal certain acts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Perkins,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered re-printed, referred to the committee of the whole and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 7 (file No. 12), entitled

A bill concerning the title of municipal property in the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stewart,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 397, entitled

A bill to provide for an independent forestry commission of the State of Michigan, and to define its duties and powers, and to provide for the expense thereof,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House without amendment and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following:

House bill No. 442 (file No. 163), entitled

An act granting that corporations may be organized, the object of which shall be to unite the reputable pharmacists and druggists of the State of Michigan, for the purpose of improving the science and art of pharmacy, the elevation of its standard and the promotion, by legitimate means, of the practice of pharmacy among properly qualified persons of that profession,

Also,

House bill No. 578 (file No. 214), entitled

An act to prevent the destruction of fish in Pine Lake, lying within the townships of Jefferson and Howard, in Cass county,

Also,

House bill No. 349 (file No. 202), entitled

An act to amend section 7, of act No. 254, of the session laws of 1869, entitled "An act to incorporate the village of Burlington," approved March 8, 1869,

Also,

House bill No. 475 (manuscript), entitled

An act to legalize an ordinance to prescribe certain fire limits in the village of Imlay City, Lapeer county, State of Michigan, and to provide penalties for the violation thereof,

Also,

House bill No. 55 (file No. 273), entitled

An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic, in this State, or the badge of the Loyal Legion of the United States,

Also,

House bill No. 343 (file No. 212), entitled

An act to authorize the city of Menominee to join with Wisconsin authorities and construct a bridge across Menominee river.

ROBERT Y. OGG, *Chairman*.

Report accepted.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 627 (manuscript), entitled

A bill to amend sections 1, 3, 4, 23 and 28 of title 2, sections 3, 9, 10 11 and 27 of title 3, sections 5, 11, 13, 26, 31, 32 and 33 of title 4, sections 2, 3, 4, 8 of title 5, sections 2, 6, 10, 17, 28, 29, 30, 36 and 37 of title 6, sections 1 and 2 of title 9, sections 24 and 29 of title ten of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids,' approved April 2, 1850, as amended by the several acts amendatory thereof," approved March 29, 1877, as amended by the several acts amendatory thereof; and to repeal sections 7 and 8 of title 2, sections 19 and 27 of title 3, and secs. 27, 28, 29 and 30 of title 4, of said act, as amended by the several acts amendatory thereof; and to add to title 6 of said act 7

new sections to stand and to be known and numbered as sections 51, 52, 53, 54, 55, 56 and 57 of said title 6, respectively, and to add to title 10 of said act a new section to stand and be known and numbered as section 30 of said title 10; and to provide that the section of said act now known and numbered as section 30 of title 10 of said act shall hereafter stand and be known and numbered as section 31 of title 10 of said act,

ROBERT Y. OGG, *Chairman.*

Report accepted.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, April 15, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State.

[House bill No. 475, being]

An act to legalize an ordinance to prescribe certain fire limits in the village of Imlay City, Lapeer county, Michigan, and to provide penalties for the violation thereof.

Also,

[House bill No. 319 (file No. 121), being]

An act to provide for the incorporation of associations for the purpose of constructing, owning, controlling and leasing buildings for hotels, elevators, or public halls.

Also,

[House bill No. 671 (file No. 257), being]

An act authorizing the trustees of the Michigan asylum for the insane at Kalamazoo to deed to the city of Kalamazoo certain State lands in the said city of Kalamazoo for street purposes.

Also,

[House bill No. 145 (file No. 114), being,]

An act to detach certain pieces and parcels of land of section 18, of the township of Lyons, and county of Ionia, from fractional school district No. 1, of the townships of Lyons and Ionia, and attach the same to school district No. 10, of the township of Lyons.

C. G. LUCE, *Governor.*

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, April 16, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State,

[House bill No. 169 file No. 81, being]

An act to provide for the organization of log and timber insurance companies, to insure against the risks of inland navigation upon the great American lakes and the waters connected therewith, in towing or transportation of logs or timber, and to define their powers.

Also,

[House bill No. 461 file No. 151, being]

An act to amend section 10 of act No. 206 of the session laws of 1877, entitled, "An act to authorize the incorporation of co-operative savings associations," approved May 26, 1877, being compiler's section No. 3970 of Howell's annotated statutes.

Also,

[House bill No. 409, being]

An act to amend act No. 307 of the session laws of 1885, being "An act to revise and amend the charter of the city of West Bay City, and to repeal all acts and parts of acts in conflict therewith," by amending sections one and three of title one defining the boundaries and providing for a new ward therein to be numbered sixth ward, and by adding a new section thereto to be numbered section four, and by amending section eight of title three, sections 8, 17, 22, 23 and 43 of title V, entire title XI, by substituting a new title therefor, to stand as title XI, section 3, and the title of title XII, section 3 of title XIII, section 12 of title XIV, of an act entitled and act to revise and amend the charter of West Bay City, and to repeal all acts and parts of acts in conflict therewith, being act No. 307 of the session laws of 1885, approved April 1st, 1885, and to add a new title thereto, containing sections 1 to 8, inclusive, to stand as title XVIII thereof,

Also,

[House bill No. 572 file No. 290, being]

An act to amend sections 1, 3, 5, 7, 8, 15, 19, 32, 69, 84, 95, 98, and 104 of an act entitled "An act to revise an act to incorporate the city of Bay City," approved March 30, 1881, as amended and revised by the several acts amendatory and revisionary thereof, and to add twenty-three new sections thereto to stand as sections 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, and 171, and to repeal sections 90 and 101 of said act.

C. G. LUCE,

Governor.

The message was laid upon the table.

The Speaker also announced the following:

EXECUTIVE OFFICE,
Lansing, April 18, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State,

House bill No. 442 (file No. 141), entitled

An act granting that corporations may be organized, the object of which shall be to unite the reputable pharmacists and druggists of the State of Michigan, for the purpose of improving the science and art of pharmacy, the elevation of its standard and the promotion, by legitimate means, of the practice of pharmacy among properly qualified persons of that profession,

Also,

House bill No. 578 (file No. 214), being

An act to prevent the destruction of fish in Pine Lake, lying within the townships of Jefferson and Howard, in Cass county.

Also,

House bill No. 627, being

An act to amend sections 1, 3, 4, 23 and 28 of title 2, sections 3, 9, 10, 11,

and 27 of title 3, sections 5, 11, 13, 26, 31, 32 and 33 of title 4, sections 2 and 8 of title 5, sections 2, 6, 10, 17, 28, 29, 30, 36 and 37 of title 6, sections 1 and 2 of title 9, sections 12, 24 and 29 of title ten of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids,' approved April 2, 1850, as amended by the several acts amendatory thereof," approved March 29, 1877, as amended by the several acts amendatory thereof; and to repeal sections 7 and 8 of title 2, sections 19 and 27 of title 3, and sections 27, 28, 29 and 30 of title 4, of said act, as amended by the several acts amendatory thereof, and to add to title 6 of said act 7 new sections to stand and be known and numbered as sections 51, 52, 53, 54, 55, 56 and 57 of said title 6, respectively, and to add to title 10 of said act, a new section to stand and be known and numbered as section 30 of said title 10; and to provide that the section of said act now known and numbered as section 30 of title 10 of said act shall hereafter stand and be known and numbered as section 31 of title 10 of said act.

Also,

House joint resolution No. 13 (file No 4), being

Joint resolution authorizing and instructing the Secretary of State to furnish the Commissioner of Railroads with certified copies of articles of association, and other papers connected with the corporate organization of railroads and filed in the office of said Secretary of State, under the provisions of the general railroad laws.

C. G. LUCE, *Governor.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 15, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 583, entitled

A bill to detach certain territory from the township of Gerrish, in Roscommon county, and to organize the township of Lake, in said county;

And to inform the House that the Senate has amended the same as follows, viz:

1. By striking out of line 9 of section 1 the word "Lake," and inserting in lieu thereof the word "Markey;"

2. By striking out of line 2 of section 2 the word "Lake," and inserting in lieu thereof the word "Markey;"

And further to inform the House that the Senate has amended the title of the bill as follows:

By striking out the word "Lake," and inserting in lieu thereof the word "Markey."

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,
Mr. Jones moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Jones,

The House concurred, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Eldred,	Mr. Lakey,	Mr. Robinson, J. W.
Allen,	Goodrich,	Lincoln,	Robinson, R.,
Anderson,	Green,	Makelim,	Rounsville,
Ashton,	Grenell,	Manly,	Rumsey,
Baker, S.,	Harper,	McGregor,	Snow,
Baldwin,	Haskin,	McKie,	Spencer,
Bates,	Herrington,	Mulvey,	Tindall,
Beecher,	Hill,	Ogg,	Vickary,
Bettinger,	Holt,	O'Keefe,	Vroman,
Bentley,	Hoobler,	Oviatt,	Washburn,
Breen,	Hosford,	Pardee,	Watson, F. H.
Burr,	Houk,	Perkins,	Watson, H.,
Chamberlain,	Hunt,	Pettit,	Watts,
Chapman,	Jones,	Pierce,	Webber,
Cole,	Kallander,	Powers,	Wellman,
Diekema,	Kelley,	Preston,	Williams, T. H.
Dillon,	Killean,	Reader,	Williams, W. W.
Douglass,	Kirby,	Rentz,	Wood,
Dunbar,			73

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 15, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 579, entitled

A bill to amend section 1 of act No. 274, of the session laws of 1875, entitled "An act to incorporate the village of Hancock,"

And to inform the House that the Senate has amended the same as follows:

1. By striking out of line 3 of the enacting section 1 the words "session laws," and inserting in lieu thereof the words "local acts,"

And further to inform the House that the Senate has amended the title to the bill as follows:

By striking out the words "session laws," and inserting in lieu thereof the words "local acts,"

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Douglass moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day;

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Douglass,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott	Mr. Grenell,	Mr. McGregor,	Mr. Snow,
Allen,	Harper,	McKie,	Spencer,
Anderson,	Haskin,	Mulvey,	Thompson,
Baker, S.	Herrington,	Ogg,	Tindall,
Baldwin,	Hill,	O'Keefe,	Van Orthwick,
Bardwell,	Holt,	Oviatt,	Vickary,
Beecher,	Hoobler,	Pardee,	Vromam,
Bettinger,	Hosford,	Perkins,	Washburn
Bentley,	Houk,	Pettit,	Watson, F. H.
Breen,	Hunt,	Pierce,	Watson, H.,
Burr,	Jones,	Powers,	Watts,
Chapell,	Kallander,	Preston,	Webber,
Cole,	Kelley,	Reader,	Wellman,
Diekema,	Killeen,	Rentz,	Williams, T. H
Dillon,	Kirby,	Robinson, J. W.	Williams, W. W
Douglass,	Lakey,	Robinson, R.,	Wilson,
Dunbar,	Lincoln,	Rogers,	Wood,
Eldred,	Makelim,	Rounsville,	Speaker,
Goodrich,	Manly,	Rumsey,	
Green,	McCormick,	Simpson,	78

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Mr. Bates,

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

THIRD READING OF BILLS.

House bill No. 318 (file No. 263), entitled

A bill to amend sections 1, 4, 10 and 12 of act No. 232 of the public acts of 1885, approved June 20, 1885, entitled "An act to revise the laws providing for the incorporation of all manufacturing companies (except such as are contemplated by act No. 42, of the session laws of 1867, which provides for the incorporation of persons or corporations engaged in the manufacture of salt), and mercantile companies, or any union of the two, and to fix the duties and liabilities of such corporations,"

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Hosford moved to amend the bill by inserting the following in lieu of section 12 of the bill:

SEC. 12. Every such corporation carrying on its manufacturing business within this State shall annually, in the month of January, make a report for the year ending on the 31st day of December preceding, which shall state the amount of the capital stock of the corporation, and the amount actually paid in, the amount invested in real estate and in personal estate, the amount of debts of the corporation and the amount of credits, the name of each stockholder and the number of shares held by him at the date of such report, and such other information as the Secretary of State may require; which report shall be made on suitable blanks furnished by the Secretary of State on application, and signed by a majority of the directors, and verified by the oath of the secretary of the corporation, and filed in the office of the Secretary of State, and a duplicate shall be filed in the office of the clerk of the county where the business of the corporation shall be carried on, which reports shall be so filed within the said month of January; and if any of said directors of any such corporations shall wilfully neglect or refuse to make the report required by this section, they shall each be liable and subject to a penalty of twenty-five dollars, and, in addition thereto, the sum of five dollars for each and every secular day after the first day of March in each year, during the pendency of such neglect or refusal, which penalty shall be for the use and benefit of the general fund of the county in which such corporation is required to file its report, and the amount so forfeited may be recovered in an action of debt brought in the name of the board of supervisors of the county entitled to the same; and it shall be the duty of the Secretary of State to notify by mail, during the first week in October, in each and every year, the county clerk of the county in which is located the manufacturing or mercantile business of such corporation which has omitted to file in his office the report required by this section; and it shall be the duty of the county clerk, at each annual meeting of the board of supervisors of any such county, to lay before such board a statement of the names of all such corporations in said county who have failed to make the reports required by this act, and such board shall thereupon proceed to collect such forfeiture or forfeitures, according to law; and every such corporation, carrying on its manufacturing or mercantile business outside this State shall annually, in the month of January, make a report, which shall be signed by a majority of the directors and verified by the oath of the secretary of the corporation, and contain all the facts required to be stated by corporations doing business within this State, which report shall be filed in the office of the Secretary of State of this State during said month of January; and if such directors shall neglect or refuse to make and file such report within the time specified, they shall be subject to the same penalties as is provided in case of corporations doing business

in this State and failing to make report. The Secretary of State may, in writing, notify the Attorney General, whose duty it is hereby made on receiving such notice to institute proceedings in any court of competent jurisdiction to collect said penalty, which penalty shall be for the use and benefit of the general fund of this State. Such report shall be made upon suitable and uniform blanks, which blanks, shall be furnished, on application, by the Secretary of State, without charge. And in case a corporation organized or existing under the provisions of this act shall be dissolved by process of law, or whose term of existence shall terminate by limitation, whose property and franchises shall be sold at mortgage sale, or at private sale, or for any reason the attitude of the corporation toward the State shall be changed from that set forth in the articles of association, except as is provided in sections two and seventeen, it shall be the duty of the last board of directors of such corporation, within thirty days thereafter, to give notice of such change to the Secretary of State and county clerk of the county where the office of such corporation is located, signed by a majority of such directors, which said notice shall be recorded as amendments are required to be recorded, and in case of neglect to give such notice they shall be subject to the same penalties provided in case of neglect to make annual reports, which said penalties shall be collected and applied in the same manner as in case of neglect in making annual reports.

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Hosford moved to further amend the bill by adding the following, to stand as section 37 of the amended act:

"Section 37. Provided that this act shall not be construed to affect corporations formed under this act before its amendment as herein provided."

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. McKie,	Mr. Snow,
Allen,	Eldred,	Mulvey,	Spencer,
Baker, S.,	Green,	Ogg,	Stuart,
Bettinger,	Grenell,	Pardee,	Vrooman,
Bentley,	Hoobler,	Reader,	Washburn,
Breen,	Hunt,	Rentz,	Watson, H.,
Chapell,	Killean,	Robinson, J. W.	Watts,
Dillon,	Manly,	Rounsville,	Williams, T. H.

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Mr. Ashton,	Mr. Douglass,	Mr. Kallander,	Mr. Pettit,
Baker, W. A.,	Goodrich,	Kelley,	Preston
Baldwin,	Harper,	Kirby,	Robinson, R.,
Bates,	Haskin,	Lakey,	Rumsey,
Burr,	Hill,	McCormick,	Simpson,
Chamberlain,	Holt,	McGregor,	Tindall,
Chapman,	Hosford,	O'Keefe,	Webber,
Diekema,	Jones,	Oviatt,	Wellman,

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Mr. Hosford moved to reconsider the vote by which the House refused to pass the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Hosford,

The bill was laid on the table.

House bill No. 291 (file No. 282), entitled

A bill to regulate the manner in which insurance companies not organized under the laws of this State, but doing business within it, shall transact their business,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Kirby,	Mr. Rounsville,
Allen,	Dunbar,	Lakey,	Rumsey,
Anderson,	Eldred,	Lincoln,	Snow,
Ashton,	Goodrich,	Manly,	Spencer,
Baker, S.,	Green,	McKie,	Stuart,
Baldwin,	Grenell,	Ogg,	Tindall,
Bates,	Harper,	Pardee,	VanOrthwick,
Beecher,	Haskin,	Pettit,	Washburn,
Bettinger,	Herrington,	Pierce,	Watson, F. H.,
Bentley,	Hill,	Powers,	Watts,
Breen,	Hoobler,	Preston,	Webber,
Burr,	Hunt,	Reader,	Wellman,
Chamberlain,	Jones,	Rentz,	Williams, T. H.
Chapman,	Kelly,	Robinson, R.,	Williams, W. W.
Cole,	Killean,	Rogers,	Wood,
Diekema,			61

NAYS.

Mr. Baker, W. A.,	Mr. Kallander,	Mr. Perkins,	Mr. Vickary,
Bardwell,	Makelim,	Robinson, J. W.	Vroman,
Douglass,	McCormick,	Simpson,	Watson, H.
Holt,	O'Keefe,		14

Title agreed to.

Mr. Grenell moved to take from the table

House bill No. 333 (file No. 287), entitled

A bill to amend section 4 of chapter 12 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, and being act No. 326 of the session laws of 1883,

Which motion prevailed.

The question being on the passage of the bill,

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Eldred,	Mr. Lincoln,	Mr. Rogers,
Ashton,	Goodrich,	Manly,	Rounsville,

Mr. Baker, S.,	Mr. Green,	Mr. McCormick,	Mr. Rumsey,
Baker, W. A.,	Grenell,	McGregor,	Simpson,
Bardwell,	Harper,	McKie,	Snow,
Bates,	Haskin,	Mulvey,	Spencer,
Beecher,	Herrington,	Ogg,	Stuart,
Bettinger,	Hill,	Pardee,	Tindall,
Bentley,	Holt,	Perkins,	VanOrthwick,
Breen,	Hoobler,	Pettit,	Vickary,
Burr,	Hosford,	Pierce,	Washburn,
Chamberlain,	Hunt,	Powers,	Watson, F. H.
Chapman,	Jones,	Preston,	Watson, H.
Cole,	Kallander,	Reader,	Webber,
Diekema,	Kelley,	Rentz,	Wellman,
Dillon,	Killeen,	Robinson, J. W.	Williams, W. W.
Douglass,	Kirby,	Robinson, R.	Wood,
Dunbar,	Lakey,		70

NAYS.

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Title agreed to.

On motion of Mr. Grenell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Bardwell,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

GENERAL ORDER.

On motion of Mr. Wood,

The House went into committee of the whole on the general order,

With the Speaker in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 294 (file No. 253), entitled

A bill to detach certain territory from the township of Pine River, in the county of Gratiot, and to attach the same to the township of Arcada, in said county,

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

D. P. MARKEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. A. Baker,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Bates,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Perkins moved that there be a call of the House:

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Preston, Rentz and Stuart.

On motion of Mr. Chapman,

All further proceedings under the call were dispensed with.

The bill was then not passed, a majority of all the members elect not voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker.	Mr. Hosford,	Mr. Reader
Anderson,	Diekema,	Houk,	Robinson, J. W
Baker, S.,	Dillon,	Hunt,	Rogers,
Baldwin,	Douglass,	Jones,	Rounsville,
Bardwell,	Dunbar,	Kallander,	Rumsey,
Bates,	Eldred,	Kelley,	Snow,
Beecher,	Goodrich,	Lakey,	Spencer,
Bettinger,	Green,	McCormick,	Thompson,
Burr,	Harper,	McGregor,	Van Orthwick,
Cannon,	Haskin,	Mulvey,	Vickary,
Chamberlain,	Herrington,	Ogg,	Watson, F. H.,
Chapell,	Holt,	Perkins,	Watson, H.,
Cole,	Hoobler,		50

NAYS.

Mr. Allen,	Mr. Hill,	Mr. Oviatt,	Mr. Vroman,
Ashton,	Killeen,	Pardee,	Washburn,
Baker, W. A.,	Lincoln,	Pettit,	Watts,
Bentley.	Makelim,	Pierce,	Webber,
Breen,	Manly,	Powers,	Wellman,
Chapman,	McKie,	Robinson, R.,	Williams, W. W
Dakin,	O'Keefe,	Simpson,	Wood,
Grenell,			15

Mr. Manly moved to reconsider the vote by which the House refused to pass the bill.

Mr. Simpson moved that the motion to reconsider do lie on the table, Which motion did not prevail.

The motion to reconsider then prevailed.

The question being on the passage of the bill,

On motion of Mr. Diekema

The bill was laid on the table.

On motion of Mr. McCormick,

The House adjourned.

Lansing, Wednesday, April 20, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Callan.

Roll called: quorum present.

Absent without leave: Messrs. Baumgardner, Brock and Cross.

On motion of Mr. Bates,

Leave of absence was granted to Mr. Baumgardner indefinitely.

On motion of Mr. Rumsey,

Leave of absence was granted to Mr. Brock indefinitely, on account of sickness.

On motion of Mr. VanOrthwick,

Leave of absence was granted to Mr. Cross for the day.

PRESENTATION OF PETITIONS.

No. 926. By Mr. H. Watson: Petition of citizens of Greenville, for the reduction of railroad fares.

On demand of Mr. H. Watson,

The petition was read at length, and spread at large upon the journal, as follows:

To the Honorable, the Senators and Representatives of the Legislature of the State of Michigan:

The undersigned, electors of the County of Montcalm, respectfully request our Senators and Representative to use all honorable means to reduce the passenger fare on all railroads in this State, to the reasonable sum of two cents per mile, believing this will not only benefit the people at large, but the railroads themselves.

The history of such legislation in other States, has already proven to be a blessing to the people, and the roads also, and we firmly believe such will be the result in our State, if the reduced rate of fare is adopted.

Referred to the committee on railroads.

No. 927. By Mr. H. Watson: Petition of G. F. C. Wilson, John H. Passage, and numerous others of Montcalm asking for a reduction of passenger fares on all railroads in this State to two cents a mile.

Referred to the committee on railroads.

No. 928. By Mr. Hoobler: Petition of P. A. Partridge, D. D. Bruce and 50 others, for the passage of the bill to organize the township of Mikado.

On demand of Mr. Hoobler,

The petition was read at length and spread at large on the journal, as follows:

To the Legislature of the State of Michigan:

The undersigned citizens of the State and residents of the township of Greenbush respectfully but earnestly request you to pass House bill No. 802, being a bill to organize the township of Mikado.

The following are a few of the reasons why we ask the organization of this new township:

1. We think it is detrimental to harmony in municipal affairs when a number of residents are detained in an organization against their wishes.

2. We think it retards progress when citizens are not allowed to govern their own internal affairs.

3. The territory which we seek to organize into a new township already contains a population of 275 people and 70 legal voters.

4. We are now obliged to travel from four to twelve miles, over bad roads, to vote.

5. Since the building of the railroad through our territory, the business of our citizens has ceased to be with the inhabitants of the village of Greenbush, and left us in a situation where it is very desirable that we transact our own affairs. And

6. We know of no opposition to our having a separate organization, except from one man, a non-resident of the township of Greenbush, who has a pecuniary interest in preventing our organization.

Philip O. Partridge,	A. J. Cameron,
James M. Johnson,	James Thompson,
W. C. Lee,	James Fassett,
Rosell Lee,	W. C. Johnson,
Thomas Nolan,	Ambrose Thompson,
Daniel D. Bruce,	L. Richmond,
Michael Kelley,	Frank Wells,
James Anderson,	Loftus Schuler,
H. S. Hungerford,	W. C. Shepard,
George Durkee,	John I. Butterfield,
James Kalin,	Demas Loyer,
Philip Curan,	John White,
J. S. Russell,	O. W. Perkins,
Robert Stewart,	Duncan McDonald,
Andrew Fraser,	Duncan McKennon,
John Venn,	G. E. Everett,
John C. Olenndenning,	Robert Duncan,
A. W. Kennedy,	Charles Cutting,
L. D. Spencer,	Horace E. Geelan,
Duncan Bruce,	J. T. Perkins,
Cyrus Reynolds,	Nelson Mercier,
John Heasty,	A. J. Smith,
Peter Lafevre,	D. R. McDonald,
William H. Kissak,	C. Braley,
John Murphy,	J. C. Reynolds,
Edward Dinal,	Andrew McDonald,
	J. K. Ford.

Referred to the committee on towns and counties.

No. 829. By Mr. Eldred: Petition of Geo. Kelly, D. Coughlin, and 137 others, of Battle Creek, asking an amendment of the garnishee law.

On demand of Mr. Eldred,

The petition was read at length, and spread at large upon the journal, as follows:

To the Honorable the Legislature of the State of Michigan:

The undersigned would respectfully petition your honorable body that the garnishee law may be so amended that corporations cannot be garnisheed for moneys due or to become due on account of labor performed for such corpo-

rations by any person for such work or labor. Your petitioners would respectfully represent that they are in the employ of railroad companies doing business in this State, and that they ask for this amendment to the law because of the great hardship and injustice known to them to have been suffered by reason of the law as it now stands. As a rule when a railroad employé is garnisheed he is discharged; then again the cost and trouble in defending in many, if not most, cases is greater than the sum demanded; so that in either case it is better to submit to the injustice of payment of an unjust demand than to take the risk of discharge or cost of defense. We would further represent that unfair advantage is taken of the law by those who press credit upon many with promise of sufficient time for payment, which is then denied and pay enforced, frequently causing great deprivation.

Again, in case of sickness, it happens frequently that after being able to go to work, a man is obliged to pay exorbitant charges, or put to great cost, with the liability of losing his place and being reduced to want when willing and able to work, through the unjust application of the law. For these, and other reasons of equal force, which must be apparent to your honorable body, we ask that the law may be so amended that we can rely upon the promise of our labor for the support of ourselves and our families, and that mercenary traders will have no inducement to give credit, relying upon so unjust a law to enforce payment, and your petitioners will, as in duty bound, ever pray, etc., etc.

G. M. Hodges,
D. McDonald,
Wm. Diamond,
J. E. Detwiler,
Geo. H. Cowles,
Peter Smith,
T. H. Johnson,
E. Fenton,
Fred Bachelor,
Joseph Long,
H. O. Dell,
Hans Hartman,

J. F. Braund,
M. St. John,
Wm. M. Reid,
J. J. Clark,
Robt. Melrose,
F. Blair,
J. E. Van Winkle,
A. T. Rathbun,
Jake Rook,
A. B. Drolet,
H. A. Shepard,
W. Kellogg.

Referred to the committee on judiciary.

No. 930. By Mr. McKie: Resolutions of L. A. 8264 K. of L., relative to the passage of certain bills.

On demand of Mr. McKie,

The resolutions were read at length and spread at large on the journal, as follows:

To the Honorable, the Senate and Representatives in the Legislature of the State of Michigan:

We, local Assembly 8264 Knights of Labor of Chickaming, Berrien county, Michigan, respectfully ask that you secure the enactment into laws of the following bills, to-wit:

Breen bill—Forfeiting unearned land grants.

Breen bill—To provide for mine inspectors.

Dillon bill—To provide for compulsory education of children.

Grenell bill—Making general election days legal holidays.

Grenell bill—To preserve the purity of elections and to provide a secret ballot.

Grenell bill—Making nine hours a legal workday for women and children.

Grenell bill—To prohibit the employment of aliens by corporations.

Holbrook bill—To protect workmen against wrongful requirements by employers.

Hosford bill—To carry into effect the provisions of the constitution that no corporation shall hold land more than ten (10) years.

Hosford bill—Preventing corporations from engaging in retail mercantile business.

Ogg bill—To abolish contract labor in State prisons.

Ogg bill—To prohibit the use of scrip or store orders in the payment of wages.

Ogg bill—To prohibit non-resident aliens from holding land.

Ogg bill—To provide for better protection of health, safety and comfort of persons employed in shops and factories.

Rairden bill—To repeal the Baker conspiracy law.

Washburn bill—To make employers liable for injuries sustained by their employes by reason of uncovered or unsafe machinery or scaffolding.

Be it resolved, That we will support our representatives in the Senate and House of Representatives in all they have done or all that they may do to secure the enactment of laws for the benefit of the laboring class of the State of Michigan.

We do hereby certify that the above petition and resolution was read and unanimously approved by Local Assembly No. 8264, Knights of Labor.

W. A. KEITH, *M. W.*

ELLIS H. WHORTON, *R. S.*

Referred to the committee on labor interests.

No. 931. By Mr. Williams: Petition of Harry Trowbridge, F. A. Bradley and 60 others asking for the passage of the bill relative to garnishee proceedings in certain cases.

Referred to the committee on judiciary.

No. 932. By Mr. Pierce: Petition of Northville assembly K. of L. asking for the passage of Ogg's bill prohibiting the use of scrip or store orders in payment of wages.

Also,

No. 933. Petition of the same body asking for the passage of the Ogg bill providing for the better protection of the health and comfort of persons employed in shops and factories.

Referred to the committee on labor interests.

No. 934. Petition of the same body asking for the passage of the Ogg bill relative to non-resident aliens holding land in this State.

Referred to the committee on judiciary.

Also,

No. 935. Petition of the same body asking for the passage of the Ogg convict labor bill.

Referred to the committee on state prison.

No. 936. By W. A. Baker: Petition of Benton Harbor assembly K. of L., asking for the passage of the Ogg convict labor bill.

Referred to the committee on State prison.

No. 937. By Mr. Bates: Petition of E. S. Botsford, L. M. Fisher and 6 others, asking for the passage of House bill 909, relative to garnishee proceedings.

Referred to the committee on judiciary.

No. 938. By Mr. McCormick: Petition of Assembly 9443 K. of L., of Fennville, asking for the passage of Ogg's convict labor bill.

Referred to the committee on State prison.

No. 939. By Mr. McCormick: Petition of Local Assembly K. of L., of Allegan, asking for the passage of the various labor bills now before the Legislature.

Referred to the committee on labor interests.

No. 940. By Mr. Kirby: Petition of Schoolcraft K. of L., asking for the passage of all the labor bills now before the Legislature.

Referred to the committee on labor interests.

No. 941. By Mr. Webber: Petition of M. U. Calahan and 12 others of Hubbarston, asking for the passage of House bill 909, relative to garnishee in justices courts.

Also,

No. 942. Petition of C. E. Stevens and 11 others of the village of Muir, same subject.

Also,

No. 943. Petition of W. C. Page and 33 others of Ionia, same subject.

Referred to the committee on judiciary.

No. 944. By Mr. Vroman: Petition of L. A. 6381, K. of L. of Trenton, asking for the passage of House file No. 166.

Referred to the committee on judiciary.

No. 945. By Mr. Van Orthwick: Petition of W. A. Smith and numerous others asking for the passage of the various labor bills.

Referred to the committee on labor interests.

REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 508, entitled

A bill to revise and amend the charter of the village of Vicksburg in the county of Kalamazoo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Kirby,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. McCormick,	Mr. Spencer,
Allen,	Dunbar,	McGregor,	Stuart,
Anderson,	Eldred,	McKie,	Thompson,
Ashton,	Goodrich,	Ogg,	Tindall,
Baker, W. A.,	Grenell,	O'Keefe,	Van Orthwick,

Mr. Bardwell,	Mr. Harper,	Mr. Pettit,	Mr. Vickary,
Bates,	Haskin,	Powers,	Vroman,
Beecher,	Herrington,	Preston,	Washburn,
Bettinger,	Hill,	Reader,	Watson, F. H.
Bentley,	Hoobler,	Rentz,	Watson, H.,
Breen,	Houk,	Robinson, J. W	Watts,
Cannon,	Hunt,	Robinson, R.,	Webber,
Chamberlain,	Kallander,	Rogers,	Wellman,
Chapell,	Kelley,	Rounsville,	Williams, W. W
Chapman,	Killean,	Rumsey,	Wilson,
Cole,	Kirby,	Simpson,	Wood,
Crocker,	Lincoln,	Snow,	Speaker,
Diekema,	Manly,		

70

NAYS.

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Title agreed to.

On motion of Mr. Kirby,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 609, entitled

A bill to make an appropriation for marking by monuments, the places where the 1st, 3d, 5th, 7th, 16th and 24th Michigan Infantry, the 1st, 5th, 6th, and 7th Michigan Cavalry, the 9th Battery, "I" Michigan Artillery and Brady's Company of Michigan Sharpshooters, all Michigan volunteers who fought upon the battlefield of Gettysburg, and providing for the erection of the same;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, without recommendation and asked to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 346, entitled

A bill to provide for the completion and furnishing of the State House of Correction and branch of the State Prison at Marquette in the Upper Peninsula, and to make an appropriation therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the completion and furnishing of the State House of Correction and branch of the State Prison at Marquette in the Upper Peninsula, and to make an appropriation therefor,

Recommending that the substitute be concurred in and that the substitute

do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed and referred to the committee of the whole on the general order.

By the committee on ways and means :

The committee on ways and means, to whom was referred

House bill No. 445, entitled

A bill to provide for the erection of a hospital, barn, carriage house, root cellar and additional fire protection at the Michigan Soldiers' Home, and to make an appropriation therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for additional fire protection for the Michigan Soldiers' Home at Grand Rapids, and to make an appropriation therefor,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

House bills No's. 509 and 599 respectively, entitled

A bill to amend sections 1473 and 1474, chapter 32, Howell's annotated statutes, as amended by act No. 111, laws of 1885, relative to village plats, etc.,

Also,

A bill to amend sections 1473 and 1474, chapter 32 of Howell's annotated statutes, as amended by act No. 111, laws of 1885, relative to village plats,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute for both bills, entitled

A bill to amend sections 1 and 2 of an act entitled " An act to provide for the recording of town plats and for vacating the same in certain cases, being compiler's sections 1344 and 1345 compiled laws of 1871, as amended by act No. 108, session laws of 1873, approved April 17, 1873, being compiler's sections 1473 and 1474 of Howell's annotated statutes as, amended by act No. 111 of the public acts of 1875, approved May 21st, 1885,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ARESTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

House bill No. 760, entitled

A bill to provide uniform and free text books for the public schools of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. W. Williams,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on private corporations:

The committee on private corporations, to whom was referred

House bill No. 68, entitled

A bill to provide for the reissue of certificates of stock of corporations lost or destroyed,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

L. H. HUNT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Eldred,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on private corporations:

The committee on private corporations, to whom was referred

House bill No. 260, entitled

A bill to repeal act No. 191 of the session laws of 1877, the same being compiler's sections 2365 to 2375, inclusive, of Howell's annotated statutes, entitled "An act authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association, except under certain circumstances,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

L. H. HUNT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Simpson,

The bill was laid upon the table.

By the committee on private corporations:

The committee on private corporations, to whom was referred
House bill No. 162, entitled

A bill to enable charitable, benevolent and eleemosynary associations, institutions or corporations to provide for a quorum of less than a majority of the board of directors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

L. H. HUNT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kelly,
The bill was laid upon the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred
House bill No. 276, entitled

A bill to amend section 26 of chapter 185 of the compiled laws of 1871, relative to "set offs," being sec. 7365 of Howell's annotated statutes of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred
House bill No. 314, entitled

A bill to prevent judges of probate from serving as trustees of any of the asylums for the insane in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred
House bill No. 379, entitled

A bill to repeal an act relative to the fraudulent removal or embezzlement

of chattel mortgaged property, the same being compiler's section 9187 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to repeal act number 184 of the laws of 1859 as amended by act No. 73 of the laws of 1891, the same being compiler's section 9187 of Howell's annotated statutes relative to the fraudulent removal or embezzlement of chattel mortgaged property,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 174, entitled

A bill to amend sections 7 and 36, article III of an act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroads in this State, approved May 1, 1873, as amended, being compiler's sections 3321 and 3350 Howell's annotated statutes, as amended by act No. 174, session laws of 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the adoption of the substitute reported by committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 378, entitled

A bill to amend compiler's section 9188 of chapter 318 of Howell's annotated statutes relative to the fraudulent removal or embezzlement of property leased or under contract of purchase, and to repeal section 2, compiler's section 9189 of said act.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 1 of act No. 43 of the laws of 1873, the same being compiler's section 9188 of Howell's annotated statutes relative to the fraudulent removal or embezzlement of property leased or under contract of pur-

chase, and to repeal section 2 of said act, the same being compiler's section 9189 of Howell's annotated statutes,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 385, entitled

A bill to amend the charter of the city of Kalamazoo, being act No. 337 of the session laws of 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 3 of chapter 7, section 3 of chapter 14, section 6 of chapter 19, sections 3 and 15 of chapter 21, sections 14 and 21 of chapter 22, section 1 of chapter 23, and section 11 of chapter 25 of act number three hundred and thirty-seven (337) of the local acts of 1883, entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to reincorporate the village of Kalamazoo," and to repeal all inconsistent acts and parts of acts approved March 15, 1861, as amended by the several acts amendatory thereof, approved June 8, 1883, and to add eight new sections thereto, to stand as section 6 of chapter 6 and sections 9, 10, 11, 12, 13, 14 and 15 of chapter 26 respectively,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lakey,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Lakey,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Kirby,	Mr. Rounsville,
Allen,	Dillon,	Lakey,	Rogers,
Anderson,	Douglass,	Linton,	Rumsey,
Ashton,	Dunbar,	Manly,	Simpson,
Baker, S.,	Eldred,	McCormick,	Snow,
Baker, W. A.,	Goodrich,	McGregor,	Spencer,
Baldwin,	Green,	McKie,	Stuart,
Bardwell,	Grenell,	Mulvey,	Tindall,
Bates,	Harper,	Ogg,	VanOrthwick,

Mr. Beecher,	Mr. Haskin,	Mr. Oviatt,	Mr. Vroman,
Bettinger,	Hill,	Pardee,	Washburn,
Bentley,	Holt,	Perkins,	Watson, F. H.
Breen,	Hoobler,	Pettit,	Watts,
Burr,	Hosford,	Pierce,	Webber,
Cannon,	Houk,	Powers,	Wellman.
Chamberlain,	Jones,	Preston,	Williams, T. H.
Chapell,	Kallender,	Rentz,	Wilson,
Chapman,	Kelley,	Robinson, J.W.	Wood,
Cole,	Killean,	Robinson, R.,	Speaker, 77
Crocker,			

NAYS.

0

Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 457, entitled

A bill to provide for the regulation of commerce in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lakey,

The bill was laid upon the table.

By the committee on manufactures:

The committee on manufactures, to whom was referred

House bill No. 403 (file No. 280), entitled

A bill to provide for the election of the commissioner of insurance and to further enlarge and define the powers and duties of the insurance bureau,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES A. GREEN, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, April 19, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State

[House bill No. 27, file No. 217, being]

An act relative to the confinement of convicted persons in the Detroit House of Correction, and the State House of Correction and Reformatory at Ionia.

Also,

[House bill No. 349, file No. 202, being]

An act to amend section 7 of act No. 254 of the session laws of 1869, entitled "An act to incorporate the village of Burlington," approved March 8, 1869,

Also,

[House bill No. 55, file No. 273, being]

An act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic in this State, or the badge of the Loyal Legion of the United States,

Also,

[House bill No. 343, file No. 212, being]

An act to authorize the city of Menominee to join with Wisconsin authorities and construct a bridge across Menominee river.

O. G. LUCE, *Governor.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 19, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill 36 (file No 140), entitled

A bill making an appropriation for the use and maintenance of the University of Michigan.

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

THIRD READING OF BILLS.

Senate bill No. 248 (file No. 128), entitled

A bill to legalize the proceedings had in laying out, cleaning out, clearing, deepening and completing a certain ditch or drain in the township of Byron, in the county of Kent, known and designated as "The Buck Creek drain," and to legalize the tax therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,
Allen,

Mr. Eldred,
Green,

Mr. McGregor,
Mulvey,

Mr. Spencer,
Stuart,

Mr. Anderson,	Mr. Grenell,	Mr. Ogg,	Mr. Thompson,	
Ashton,	Harper,	Oviatt,	Tindall,	
Baker, S.,	Haskin,	Pardee,	VanOrthwick,	
Baker, W. A.,	Hill,	Perkins,	Vroman,	
Baldwin,	Hoobler,	Pierce,	Washburn,	
Beecher,	Houk,	Powers,	Watson, F. H.,	
Bettinger,	Hunt,	Preston,	Watson, H.,	
Breen,	Jones,	Reader,	Watts,	
Cannon,	Kallander,	Rentz,	Webber,	
Chamberlain,	Kelley,	Rogers,	Wellman,	
Chapell,	Killean,	Rounsville,	Williams, W. W	
Dakin,	Kirby,	Rumsey,	Wilson,	
Dillon,	Lakey,	Snow,	Wood,	
Douglass,	McCormick,			62
NAYS.				0

Title agreed to.

On motion of Mr. Hunt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 147 (file No. 173), entitled

A bill to amend section 503 of the compiled laws of 1871, being section 511 of Howell's annotated statutes, as amended by act No. 134 of the session laws of 1883, being an act relative to the election of county auditors for the county of Wayne,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Linton,	Mr. Rounsville	
Anderson,	Dillon,	McCormick,	Rumsey,	
Ashton,	Douglass,	McGregor,	Snow,	
Baker, S.,	Dunbar,	Mulvey,	Spencer,	
Baker, W. A.,	Eldred,	Oviatt,	Stuart,	
Bardwell,	Goodrich,	Pardee,	Tindall,	
Bates,	Green,	Perkins,	Van Orthwick,	
Beecher,	Grenell,	Pettit,	Vickary,	
Bettinger,	Harper,	Pierce,	Washburn,	
Bentley,	Haskin,	Powers,	Watson F. H.,	
Breen,	Hill,	Preston,	Watts,	
Burr,	Hoobler,	Reader,	Webber,	
Cannon,	Hunt,	Rentz,	Wellman,	
Chamberlain,	Kelley,	Robinson, J. W.	Wilson,	
Chapell,	Killean,	Robinson, R.,	Wood,	
Chapman,	Kirby,	Rogers,	Speaker,	
Cole,	Lincoln,			66
NAYS.				0

Title agreed to.

Senate bill No. 65 (file No. 57), entitled

A bill to amend section 11 of chapter 4, act number 164, laws of 1881, relating to the duties of township clerks in apportioning school moneys,

Was read a third time and pending the taking of the vote on the passage thereof,

Mr. Abbott moved to amend the bill by inserting in line 2, section 1, the word "session" before the word "laws,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, two-thirds of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Kirby,	Mr. Rounsville,
Allen,	Crocker,	Lincoln,	Simpson,
Anderson,	Diekema,	Linton,	Spencer,
Ashton,	Dillon,	McCormick,	Tindall,
Baker, S.,	Dunbar,	McGregor,	VanOrthwick,
Baker, W. A.,	Eldred,	Mulvey,	Vroman,
Baldwin,	Goodrich,	Oviatt,	Washburn,
Bates,	Green,	Pardee,	Watson, F. H.,
Beecher,	Grenell,	Perkins,	Watson, H.
Bettinger,	Harper,	Pettit,	Watts,
Bentley,	Haskin,	Pierce,	Webber,
Breen,	Hill,	Powers,	Wellman,
Burr,	Hoobler,	Reader,	Williams, T. H.
Chamberlain,	Hunt,	Robinson, J. W.	Williams, W. W.
Chapell,	Kelley,	Robinson, R.,	Wilson,
Chapman,	Killeen,	Rogers,	Speaker, 64

NAYS.

Mr. Preston, 1

The question being on agreeing to the title

Mr. Abbott moved to amend the title as follows:

1. By inserting before the word "laws" the word "session."
2. By inserting before the word "relating" the words "being sec. 5080 of Howell's Annotated Statutes."

Which motion prevailed.

The title as amended was then agreed to.

House bill No. 404 (file No. 193) entitled

A bill to amend section 10 of chapter 11 of act No. 243 of the public acts of 1881, entitled, "An act to revise and consolidate the laws relating to the establishing, opening, improvement and maintenance of highways and private roads, and the building, repairing and preservation of bridges within this State,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Green,	Mr. McKee,	Mr. Stuart,
Allen,	Grenell,	Mulvey,	Thompson,
Anderson,	Haskin,	Ogg,	Tindall,
Ashton,	Hill,	O'Keefe,	Van Orthwick,
Baker, W. A.,	Hoobler,	Pardee,	Vickary,
Baldwin,	Kallander,	Perkins,	Vroman,

Mr. Bates,	Mr. Kelley,	Mr. Pierce,	Mr. Washburn,
Beecher,	Killean,	Powers,	Watson, F. H.,
Bentley,	Kirby,	Preston,	Watson, H.,
Breen,	Lakey,	Rentz,	Watts,
Burr,	Lincoln,	Robinson, J. W	Webber,
Cole,	Linton,	Rounsville,	Wellman,
Crocker,	Manly,	Rumsey,	Wilson,
Dillon,	McCormick,	Snow,	Wood,
Douglass,	McGregor,	Spencer,	Speaker,
Goodrich,			61

NAYS

Mr. Baker, S.,	Mr. Chamberlain,	Mr. Dunbar,	Mr. Hunt,	
Cannon,	Chapell,	Harper,	Simpson,	8

Title agreed to.

House bill No. 104 (file No. 115), entitled

A bill to provide for laying out and establishing a State road in Bay county, to be known as the "Williams and Garfield State road extension."

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. H. Watson,

The bill was laid upon the table.

The House took up the order of

MOTIONS AND RESOLUTIONS.

Mr. Perkins moved to take from the table

House bill No. 852, entitled

A bill to incorporate the city of Petoskey and to repeal act No. 280 of the laws of 1879,

Which motion prevailed.

On motion of Mr. Perkins,

The bill was referred to the committee on municipal corporations.

Mr. J. W. Robinson moved to take from the table

House bill No. 70 (file No. 119), entitled

A bill authorizing the board of trustees of the Northern Michigan Asylum for the Insane to purchase certain lands for the use and benefit of said asylum, and making an appropriation for the payment thereof.

Which motion prevailed.

The bill having been recalled from the Senate with a view to further action thereon, which had not been had, it was then returned to the Senate in its regular parliamentary course.

Mr. W. A. Baker moved to discharge the committee of the whole from the further consideration of

House bill No. 315 (file No. 295), entitled

A bill to protect the owners and keepers of stallions.

Which motion prevailed.

On motion of Mr. W. A. Baker,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Manly,	Mr. Roundsville,
Allen,	Diekema,	McKie,	Rumsey,
Anderson,	Dunbar,	Mulvey,	Simpson,
Ashton,	Eldred,	Ogg,	Spencer,
Baker, S.,	Goodrich,	O'Keefe,	Thompson,
Baker, W. A.	Green,	Oviatt,	Tindall,
Baldwin,	Grenell,	Pardee,	Van Orthwick,
Bardwell,	Herrington,	Perkins,	Vickary,
Bates,	Hill,	Petitt,	Vroman,
Beecher,	Holt,	Pierce,	Watson, F. H.,
Bettinger,	Hoobler,	Powers,	Watson, H.,
Bentley,	Hosford,	Preston,	Watts,
Breen,	Jones,	Reader,	Webber,
Burr,	Kallander,	Rentz,	Wellman,
Cannon,	Kelley,	Robinson, J. W.	Williams, T. H.
Chamberlain,	Lakey,	Robinson, R.,	Williams, W. W.
Chapell,	Lincoll,	Rogers,	Wilson,
Cole,	Linton,		70

NAYS.

0

Title agreed to.

On motion of Mr. Roundsville,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Ogg moved to take from the table,

House bill No. 598 (file No. 181), entitled

A bill to provide for blowers in establishments where emery wheels are used.

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Abbott moved to amend the bill by adding the following at the end of the bill, to stand as section 4:

SECTION 4. Nothing in this act shall apply to factories and workshops in which such wheels are occasionally used, and only by men not especially employed for that purpose.

Mr. H. Watson moved to amend the amendment by inserting after the word "factories," the words "saw mills and shingle mills,"

Which was agreed to.

The motion to amend then prevailed, two-thirds of all the members present voting therefor.

Mr. Preston moved to amend the bill by striking out of sec 2, the following,

And in case of the neglect or refusal of either of the above named officers to perform the duties imposed by this section, then any person of mature age and good moral character, may make such inspection and prosecute any or all persons who shall be found violating the provisions of this act,

Which motion did not prevail, two-thirds of all the members present not voting therefor.

Mr. Ogg moved to amend the bill by inserting in line 2, sec 1, after the word "wheels" the words "or emery belts,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Linton,	Mr. Rogers,
Allen,	Douglass,	Makelim,	Rounsville,
Anderson,	Dunbar,	Manly,	Simpson,
Ashton,	Eldred,	McCormick,	Snow,
Baldwin,	Goodrich,	McGregor,	Stuart,
Bardwell,	Green,	McKie,	Thompson,
Bates,	Grenell,	Mulvey,	Tindall,
Beecher,	Harper,	Ogg,	Vickary,
Bettinger,	Herrington,	Oviatt,	Washburn,
Bentley,	Hill,	Pardee,	Watson, F. H.
Breen,	Hoobler,	Perkins,	Watson, H.,
Burr,	Hosford,	Pettit,	Watts,
Cannon,	Jones,	Pierce,	Webber,
Chamberlain,	Kallender,	Powers,	Williams, T. H.
Chapman,	Kelley,	Reader,	Wilson,
Cole,	Killean,	Robinson, J. W.	Wood,
Crocker,	Kirby,	Robinson, R.,	Speaker,
Diekema,	Lincoln,		

70

NAYS.

Mr. Haskin, Mr. Spencer,

2

The question being on agreeing to the title,

Mr. Ogg moved to amend the title by inserting after the word "wheels" the words "or emery belts."

Which motion prevailed.

The title as amended was then agreed to.

Mr. Green moved to take from the table,

House bill No. 58, file No. 123, entitled

A bill to provide for laying out and establishing a State road in Bay county to be known as "The Bay City and Au Sable State road extension."

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Douglass,	Mr. Linton,	Mr. Robinson R,
Allen,	Dunbar,	Makelim,	Rogers,
Anderson,	Eldred,	Manly,	Rounsville,
Ashton,	Goodrich,	McCormick,	Simpson,
Baldwin,	Green,	McKie,	Snow,
Bardwell,	Grenell,	Mulvey,	Spencer,
Bates,	Harper,	Ogg,	Thompson,
Beecher,	Haskin,	O'Keefe,	Tindall,
Bettinger,	Holt,	Oviatt,	VanOrthwick,
Bentley,	Hoobler,	Pardee,	Vickary,

Mr. Breen,	Mr. Hosford,	Mr. Perkins,	Mr. Vroman,	
Burr,	Houk,	Pettit,	Watson F. H.	
Cannon,	Hunt,	Pierce,	Watson, H.	
Chamberlain,	Jones,	Powers,	Webber,	
Chapman,	Kallander,	Preston,	Weilman,	
Cole,	Kelly,	Reader,	Wood,	
Crocker,	Killean,	Rentz,	Speaker,	
Diekema,	Lakey,	Robinson, J. W.		71

NAYS.

0

Title agreed to.

On motion of Mr. Green,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Bentley offered the following:

Resolved, That 500 copies of House file No. 62, entitled: "A bill to provide for the appointment of a game and fish warden and to prescribe his powers and duties," as the same became a law, be printed for the use of the members of this House,

Which was adopted.

The Speaker announced the following:

In accordance with the resolution adopted by this House on the 15th inst., relative to the bill to incorporate the city of Marine City, I hereby appoint Messrs. Cole, W. A. Baker, Bardwell, Killean and Wilson.

DANIEL P. MARKEY.

On motion of Mr. Lakey,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

THIRD READING OF BILLS.

Senate bill No. 301 (file No. 141), entitled

A bill to authorize the Calhoun county agricultural society to mortgage real estate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Green,	Mr. Manly,	Mr. Rogers,
Baker, S.,	Grenell,	McCormick,	Rounsville,
Baldwin,	Harper,	McGregor,	Rumsey,
Bardwell,	Haskin,	McKie,	Simpson,
Bates,	Herrington,	Mulvey,	Snow,
Beecher,	Hill,	Ogg,	Spencer,

Mr. Bettinger,	Mr. Holt,	Mr. Oviatt,	Mr. Stuart,
Bentley,	Hosford,	Pardee,	Thompson,
Breen,	Houk,	Pettit,	Tindall,
Burr,	Kallander,	Pierce,	Vickary,
Cannon,	Kelley,	Powers,	Vroman,
Chapell,	Killean,	Preston,	Washburn,
Chapman,	Kirby,	Reader,	Watson, F. H.
Cole,	Lakey,	Rentz,	Wellman,
Dillon,	Linton,	Robinson, J. W.	Wilson,
Eldred,	Makelim,	Robinson, R.,	Speaker,
Goodrich,			

65
0

NAYS.

Title agreed to.

On motion of Mr. Eldred,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

Senate bill No. 115 (file No. 76), entitled

A bill concerning the testimony of minors,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Eldred,	Mr. McKie,	Mr. Rounselle,
Allen,	Goodrich,	Mulvey,	Rumsey,
Baker, S.,	Green,	Ogg,	Simpson,
Baldwin,	Haskin,	O'Keefe,	Spencer,
Bardwell,	Hill,	Oviatt,	Stuart,
Bates,	Holt,	Pardee,	Thompson,
Beecher,	Hoobler,	Pettit,	VanOrthwick,
Bettinger,	Hunt,	Pierce,	Vickary,
Bentley,	Kallander,	Powers,	Vroman,
Breen,	Kelly,	Preston,	Washburn,
Cannon,	Killean,	Reader,	Watson, F. H.,
Burr,	Kirby,	Rentz,	Wellman,
Chamberlain,	Lakey,	Robinson, J. W.	Wilson,
Chapell,	Makelim,	Robinson, R.,	Wood,
Cole,	Manly,	Rogers,	Speaker,
Dunbar,	McGregor,		

62

NAYS.

Mr. Chapman, Mr. Dillon, Mr. Harper,

4

Title agreed to.

Senate bill No. 99 (file No. 34), entitled

A bill making an appropriation for the Pioneer Society of the State of Michigan for the years 1887 and 1888,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Killean,	Mr. Robinson, J. W.
Allen,	Dunbar,	Kirby,	Robinson, R.,
Anderson,	Eldred,	Lakey,	Rogers,

Mr. Ashton,	Mr. Goodrich,	Mr. Makelim,	Mr. Rounsville,
Baker, S.,	Green,	Manly,	Rumsey,
Baldwin,	Grenell,	McCormick,	Simpson,
Bates,	Harper,	McKie,	Spencer,
Beecher,	Haskin,	Mulvey,	Stuart,
Bettinger,	Herrington,	Ogg,	Thompson,
Bentley,	Hill,	O'Keefe,	Tindall,
Breen,	Holt,	Oviatt,	Van Orthwick,
Burr,	Hoobler,	Pettit,	Washburn,
Cannon,	Hosford,	Pierce,	Watson, F. H.,
Chamberlain,	Houk,	Powers,	Wellman,
Chapell,	Hunt,	Preston,	Wilson,
Chapman,	Kallander,	Reader,	Wood,
Cole,	Kelley,	Rentz,	Speaker,
Diekema,			

69

NAYS.

0

Title agreed to.

On motion of Mr. Rumsey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 242 (file No. 78), (reprint file No. 171), entitled

A bill to authorize the formation of corporations for the purpose of improving rivers which form, in whole or part, the boundary between this and any adjoining State, and their tributaries, and for driving, sorting, holding and delivering logs thereon,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Kirby,	Mr. Robinson, J. W.
Ashton,	Dillon,	Lakey,	Robinson, R.,
Baker, S.,	Dunbar,	Linton,	Rogers,
Baldwin,	Goodrich,	Makelim,	Rounsville,
Bates,	Green,	Manly,	Rumsey,
Beecher,	Harper,	McCormick,	Simpson,
Bettinger,	Haskin,	Mulvey,	Spencer,
Bentley,	Hill,	Ogg,	Thompson,
Breen,	Holt,	Oviatt,	Tindall,
Burr,	Hosford,	Pardee,	Van Orthwick,
Cannon,	Houk,	Pettit,	Vroman,
Chamberlain,	Hunt,	Pierce,	Washburn,
Chapell,	Jones,	Powers,	Watson, F. H.,
Chapman,	Kallender,	Preston,	Wellman,
Cole,	Killeen,	Reader,	

59

NAYS

0

Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 600 (file No. 285), entitled

A bill to fix the per diem compensation of members of the State Legislature from the Upper Peninsula for and during the session of 1887,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Diekema;

The bill was laid on the table.

House joint resolution No. 6 (file No. 7), entitled

Joint resolution authorizing certain "Ottawa county scrip" to be used in locating swamp lands in any of the counties of the lower peninsula,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Goodrich,	Mr. Killean,	Mr. Reader,
Anderson,	Green,	Kirby,	Rentz,
Ashton,	Grenell,	Lakey,	Robinson, R.,
Baker, W. A.	Harper,	Lincoln,	Rogers,
Bates,	Haskin,	Makelim,	Rounsville,
Bentley,	Herrington,	McCormick,	Rumsey,
Breen,	Hill,	McKie,	Simpson,
Burr,	Holt,	Mulvey,	Spencer,
Cannon,	Hoobler,	Ogg,	Thompson,
Chamberlain,	Hosford,	O'Keefe,	Tindall,
Cole,	Houk,	Pettit,	Vickary,
Dakin,	Hunt,	Pierce,	Washburn,
Diekema,	Jones,	Powers,	Wellman,
Eldred,	Kallender,	Preston,	Speaker, 56

NAYS.

Mr. Kelly,	Mr. Wood,	2
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Title agreed to.

Senate bill No. 88 (file No. 65), entitled

A bill to amend section 16 of chapter 9 of compiled laws of 1871 as amended, being section 452 of Howell's annotated statutes,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Chapman,

The bill was laid upon the table.

House bill No. 525 (file No. 278), entitled

A bill to amend chapter 52 of Howell's annotated statutes of Michigan, relative to the "protection of children in certain cases," by adding four new sections thereto to stand as sections 7, 8, 9 and 10 of said act,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Bentley moved to amend the bill by striking out all of section 1 and inserting the following in lieu thereof:

SECTION 1. *The People of the State of Michigan enact*, That act No. 260 of the public acts of Michigan of the year 1881, being chapter 52 of Howell's annotated statutes of Michigan relative to the "protection of children in certain cases," be and the same is hereby amended by adding four new sections thereto, to stand as sections seven, eight, nine and ten of said act, and to read as follows:

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Oviatt moved to amend the bill by striking out in lines 3 and 4, section 7, the words "the county agent of the State Board of Corrections and Charities as to,"

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Diekema moved to reconsider the vote by which the House agreed to the amendment.

Which motion prevailed.

The question being on amending the bill,

On motion of Mr. Diekema,

The bill was laid on the table.

GENERAL ORDER.

On motion of Mr. Chapman,

The House went into committee of the whole on the general order,

Whereupon the Speaker called Mr. Linton to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bills:

1. House bill No. 685 (file No. 258), entitled

A bill to amend section 2 of act No. 168, session laws of 1885, entitled "An act to amend sections 1, 2, 3, 4, 5, and 6 of an act establishing a State Agency for the care of juvenile offenders," approved April 29, 1873, as amended by an act to amend section 1 of said act, approved March 19, 1875, the same being section 9894, 9895, 9896, 9897, 9898 and 9899 of Howell's annotated statutes,

2. House bills No. 212 and 308 (file No. 302), entitled

A bill to provide for the purchase of land and the erection of buildings for the use and benefit of the Michigan Asylum for the Insane at Kalamazoo, and to make payment for the same out of the surplus moneys in the hands of the treasurer of said asylum,

3. House bill No. 415 (file No. 305), entitled

A bill to provide for the appointment, fix the compensation and prescribe the duties of the stenographer of the circuit courts for the counties of Allegan and Ottawa, now comprising the 20th judicial circuit,

4. House bill No. 87 (file No. 306), entitled

A bill defining the duties and regulating the compensation of the official stenographer of the fourteenth judicial circuit of the State of Michigan in the matter of filing transcripts of court proceedings in the circuit courts thereof,

5. House bill No. 482 (file No. 311), entitled

A bill to amend act No. 317 of session laws of 1883 being "An act to organize a public library in West Bay City, by adding a new section thereto numbered section nine, for the purpose of providing a fund for the enlargement and improvement of said public library,"

6. House bill No. 161 (file No. 313), entitled

A bill providing for the employment, defining the duties, and fixing the compensation of a stenographer for the second judicial circuit, State of Michigan,

7. House bill No. 596 (file No. 314), entitled

A bill providing for the employment, defining the duties, and fixing the compensation for a stenographer for the thirteenth judicial circuit, State of Michigan,

8. House bill No. 420 (file No. 317), entitled

A bill for the identification of convicts,

9. House bill No. 638 (file No. 319), entitled

A bill to amend sections 3 and 7 of act No. 37 of the public acts of 1883 entitled "An act to incorporate the Grand Army of the Republic, Department of Michigan, and subordinate posts of the Grand Army of the Republic," approved April 21, 1883,

10. House bill No. 353 (file No. 320), entitled

A bill making an appropriation for the support of the Michigan School for the Blind for the years 1887 and 1888,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled

11. House bill No. 17 (file No. 316), entitled

A bill to amend compiler's section 1594 of chapter 36 of Howell's annotated statutes of Michigan "with reference to interest of money,"

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following bill:

12. House bill No. 38 (file No. 174), entitled

A bill to abolish the board of corrections and charities,

And have directed their chairman to report the same back to the House with the recommendation that it be made the special order for May 4, at 2.15 P.M.

The committee of the whole have also had under consideration the following bill:

13. House bill No. 582 (file No. 296), entitled

A bill to provide for the better protection of the health, comfort and safety of persons employed in shops and factories.

And have directed their chairman to report the same back to the House with the recommendation that it be laid on the table.

The committee of the whole have also had under consideration the following bill:

14. House bill No. 165 (file No. 315), entitled

A bill to provide for register of deeds making certain reports to the bureau of statistics of labor and for publishing the same,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

W. S. LINTON, *Chairman*.

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, and tenth named bills were placed on the order of third reading.

On motion of Mr. Holt,

The House concurred in the amendments made by the committee to the eleventh named bill, and it was placed on the order of third reading.

On motion of Mr. Hill,

The house concurred in the recommendation of the committee relative to the twelfth named bill, and it was made the special order for May 4, at 2:15 P. M.

On motion of Mr. Ogg,

The House concurred in the recommendation of the committee relative to the thirteenth named bill and it was laid on the table.

On motion of Mr. H. Watson.

The House concurred in the action of the committee in striking out all after the enacting clause of the fourteenth named bill, and

The title and enacting clause were laid on the table.

Mr. Green moved that

House bill No. 482 (file No. 311), entitled

A bill to amend act No. 317 of the session laws of 1883, being an act entitled "An act to organize a public library in West Bay City," by adding a new section thereto numbered section 9, for the purpose of providing a fund for the enlargement and improvement of said public library,

Be taken from the order of third reading and laid on the table.

Which motion prevailed.

Mr. J. W. Robinson moved to take from the table

House bill No. 294 (file No. 253), entitled

A bill to detach certain territory from the township of Pine River in the county of Gratiot and to attach the same to the township of Arcada in said county,

Which motion prevailed.

The question being on the passage of the bill, pending the taking of the vote thereon,

Mr. Bates moved that there be a call of the House,

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Watts, T. H. Williams and Kelley.

Mr. Bates moved that

The Sergeant-at-Arms be despatched after the absentees,

Which motion did not prevail.

On motion of Mr. J. W. Robinson,

Messrs. T. H. Williams and Watts were excused from the operation of the call.

On motion of Mr. Chapman,

Mr. Kelley was excused from the operation of the call.

On motion of Mr. Chapman,

All further proceedings under the call were dispensed with.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dakin,	Mr. Hunt,	Mr. Reader,
Allen,	Diekema,	Jones,	Rentz,
Anderson,	Dillon,	Kallander,	Robinson, J. W.
Baker, S.,	Douglass,	Kirby,	Rogers,
Baldwin,	Dunbar,	Lakey,	Rounsville

Mr. Bardwell,	Mr. Eldred,	Mr. Linton,	Mr. Rumsey,
Bates,	Goodrich,	Makelim,	Snow,
Beecher,	Green,	McCormick,	Spencer,
Barringer,	Harper,	McGregor,	Stuart,
Burr,	Haskin,	Mulvey,	Thompson,
Cannon,	Herrington,	Ogg,	Van Orthwick,
Chamberlain,	Holt,	Oviatt,	Vickary,
Chapell,	Hoobler,	Perkins,	Watson, F. H.,
Cole,	Hosford,	Preston,	Watson, H.,
Crocker,	Houk,		58

NAYS.

Mr. Bentley,	Mr. Lincoln	Mr. Powers,	Mr. Wellman,
Breen,	Manly,	Robinson, R.	Williams, W. W.
Chapman,	McKie,	Vroman,	Wilson,
Grenell,	Pardee,	Webber,	Wood,
Killeen,	Pettit,		18

Title agreed to.

On motion of Mr. J. W. Robinson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The Speaker announced the following communication :

Lansing, April 20, 1887.

Hon. Daniel P. Markey, Speaker of the House of Representatives:

SIR—I came to Lansing yesterday in company with several other citizens of the city of Saginaw, for the purpose of urging before a committee of this house the passage of a revision of the charter of our city. An appointment had been made for a hearing on that day—April 19—at 1 o'clock p. m. On my arrival, in company with Mr. Jay Smith of Saginaw City, we met the Hon. Milo H. Dakin, one of the members of this House from Saginaw county, in the capitol building. I enquired of him what the situation was in regard to our charter, and he replied that nothing would be done about it to-day. I then asked him if there had been any farther opposition developed in regard to it than what we had been apprised of. He replied that there had not, but that the mayor of our city who had come here the last night had gone home and nothing would be done till his return, and added, "I sent for him to come down, and he was expected to bring some money to get it through with, but he did not bring any—except seven dollars—which he gave to us and we have used that up, but that does not amount to anything, and he has gone back to Saginaw to get some more money."

I asked for what he wanted money; he said, to get the charter through the House. I said, do you mean that you have got to use money with the committee. He said no, but among the members. I then asked him if, from his intercourse and acquaintance with the members he thought measures could be promoted in the House by the use of money among the members. He replied, very decidedly, why, yes; of course they can. After some further conversation we separated.

About eleven o'clock the same morning I met the same gentleman on the street in company with Mr. David Crowley and another Saginaw man, and we all stepped into a restaurant and sat down by a table. I then said to him, I would like to have you give me a definite idea of what you consider it

necessary to do in order to get our charter passed by the House. He replied, it is just as I told you. We cannot get it through the House unless we have something to do it with. I said, if the committee make a favorable report, will there be any doubt but that report will be adopted. He said, there will be no doubt about it if I can have what is needed to do it with.

I said do you mean to say that members of the House expect to be seen in the way you suggest? He said certainly; of course there is no bribery about it. I shall simply give them something to buy cigars with, or whatever they want; and as this is a local matter that they do not care anything about, that will make them all solid for it. I asked him if it would not get us into trouble. He said no—you gentlemen don't need to be known in the matter at all. You just furnish me with what is necessary and I will see each one that I think it proper to see, and will tell him to call upon (a man that he named) and he will give him what I think is necessary. I asked how much would be required, and he said he could not tell exactly until he had made a canvass of the matter. I then said let us make an estimate, and I took out a roll-call of the members and said, now I would like to have you, from your acquaintance and conversation with the members, check off on this list those whom you deem it necessary to see. He took the list and checked off the names of seventeen members, and said, there are seventeen members that ought to be seen, and there may be others. I then requested him to place opposite each name that he had checked the amount that he thought would be necessary to use with each member, and he did so, which roll-call, with the checks, marks and figures on the right hand margin, as made by the member above named, is hereto attached and made a part of this communication. I make this communication to you because I believe that the suggestion that we ought to furnish money for the purpose of influencing this body to grant us a charter, which we believe is just and proper in all respects, is wholly uncalled for and ought not to be encouraged, and for the purpose of asking you, as the presiding officer of this body, what course ought to be pursued in the matter.

F. L. EATON.

[Here appeared the names of fifteen members of the House, which are, for prudential reasons, omitted herefrom.]

STATE OF MICHIGAN, }
COUNTY OF INGHAM, } ss.

I, Frederic L. Eaton, of Saginaw City, Michigan, do solemnly swear that I have written the foregoing communication, addressed to the Speaker of the House of Representatives. That the matters therein set forth are true in every particular, and that the House roll-call thereto attached is the identical roll-call marked by Milo H. Dakin, and that the figures thereon appearing are the figures set down by the said Milo H. Dakin as indicative of the sum of money necessary to be used upon the members respectively opposite whose names such figures appear.

FREDERIC L. EATON.

Sworn and subscribed before me, a notary public in and for said county, this 20th day of April, A. D. 1887.

DANIEL L. CROSSMAN,
Notary Public, Ingham County, Michigan.

Mr. Herrington moved that the communication be received by the House and spread at large on the journal.

Which motion prevailed.

Mr. Herrington offered the following:

Resolved, That a committee of five be appointed by the Speaker to investigate the charges preferred by Frederic L. Eaton against the member from Saginaw, Milo H. Dakin, and that they be empowered to subpoena witnesses, employ a stenographer, and report their proceedings to this House at the earliest time possible,

Which was adopted.

The Speaker announced as the committee under the resolution: Messrs. Chapman, Goodrich, Thompson, Pierce and Snow.

Mr. Dakin moved to reconsider the vote by which the House ordered the communication relative to Representative Dakin spread at large on the Journal.

Which was withdrawn.

Mr. W. A. Baker offered the following:

Resolved, That the Hon. Milo H. Dakin be allowed to make a denial if he so desires of the charge this day made against him, with regard to intimating that some members of this body are corruptible, and that the denial be spread upon the Journal, together with the charges.

Which was adopted.

Mr. Dakin offered the following:

I deny the charges made in the memorial communication made by F. L. Eaton *in toto*.

MILO H. DAKIN.

On motion of Mr. Cole,

Leave of absence was granted to the special committee to visit Marine City until Monday next.

On motion of Mr. F. H. Watson,

Leave of absence was granted to himself until Monday next.

On motion of Mr. Wellman,

Leave of absence was granted to himself until Monday next.

On motion of Mr. Goodrich,

The House took up the order of

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 20, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 767, entitled

A bill to amend section 1 of article 2, and sections 1 and 3 of article 3, section 6 of article 5, sections 2 and 3 of article 14, section 1 of article 17, and section 1 of article 18 of act number 321, of the session laws of 1875 entitled "An act to incorporate the village of Zeeland, Ottawa county, Michigan"

And to inform the House that the Senate has amended the same as follows:

1. By striking out of section 1 the words "session laws" and inserting in

lieu thereof the words "local acts," and by inserting after the word "county" the words "Michigan, approved April 10, 1875,"

And further to inform the House that the Senate has amended the title to the bill so as to read as follows:

By striking out the words "session laws" and inserting in lieu thereof the words "local acts," and adding to the end thereof the words "approved April 10, 1875,"

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules, Mr. Goodrich moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day;

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Goodrich,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Douglass,	Mr. Lincoln,	Mr. Rogers,
Allen,	Dunbar,	Linton,	Rounsville,
Anderson,	Eldred,	Makelim,	Rumsey,
Baker, S.,	Goodrich,	Manly,	Simpson,
Baker, W. A.,	Green,	McCormick,	Snow,
Baldwin,	Grenell,	McKie,	Spencer,
Bardwell,	Harper,	Mulvey,	Stuart,
Bates,	Haskin,	Ogg,	Thompson,
Beecher,	Hill,	O'Keefe,	Tindall,
Bettinger,	Holt,	Oviatt,	VanOrtheast,
Bentley,	Hoobler,	Pardee,	Vickary,
Breen,	Hosford,	Perkins,	Vroman,
Burr,	Houk,	Pettit,	Washburn,
Cannon,	Hunt,	Pierce,	Watson, F. H.
Chamberlain,	Jones,	Powers,	Watson, H.
Chapell,	Kallender,	Preston,	Webber,
Chapman,	Kelley,	Reader,	Williams, W. W.
Cole,	Killeen,	Rentz,	Wilson,
Crocker,	Kirby,	Robinson, J. W.	Wood,
Diekema,	Lakey,	Robinson, R.,	Speaker,
Dillon,			

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NAYS.

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

On motion of Mr. W. W. Williams,
The House adjourned.

Lansing, Thursday, April 21, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Riley.

Roll called: quorum present.

The special committee on charges against Representative Dakin, reported as follows:

Your committee to whom was referred the matter of the affidavit of Frederick L. Eaton, of Saginaw City, preferring certain charges against Milo H. Dakin, a member of this House, have had the matter under consideration and ask permission to make this preliminary report of the situation:

1. The charges preferred are of a very serious character, and, if sustained by sufficient evidence, the said Milo H. Dakin should be expelled from the House.

2. Your committee therefore recommend that the investigation of said charges be conducted by the House, with the Speaker in the chair, the officers and reporters of the press in their respective places, and the doors of the hall and gallery open, with a view to the greatest publicity, consistent with decorum, in accordance with rule 58 of the House, and that this committee conduct the examination on the part of the House, and be empowered to subpoena witnesses and employ a stenographer;

That Milo H. Dakin be permitted to appear in person and with counsel; that he be furnished every facility to compel the attendance of witnesses and to procure any testimony, relevant to the case, which he may desire;

That Tuesday, April 26th, at 10:15 a. m., be fixed as the date upon which this examination shall commence, and that at least three days previous to said date formal charges shall be preferred by your committee, and entered upon the journal of this House, that the said Milo H. Dakin may know exactly what charges are made against him, and be prepared to answer the same; and finally, that after the completion of such examination the House decide in the manner contemplated by the constitution if such charges, or any of them have been proved, and if the decision shall be in the affirmative, then to decide upon the adequate punishment that justice demands.

Lansing, Mich., April 21, 1887.

A. R. CHAPMAN,
J. V. B. GOODRICH,
H. W. THOMPSON,
A. B. PIERCE,
B. A. SNOW.

Committee.

Report accepted.

On motion of Mr. Cole,
The report of the committee was adopted.
On motion of Mr. Chapman,
Tuesday, April 26, at 10:15 A. M., was fixed as the time for the hearing under the report.

PRESENTATION OF PETITIONS.

No. 946. By Mr. Dillon: Petition of Wm. Evans, asking for the passage of the Grenell purity of election bill.

On demand of Mr. Dillon,
The petition was read at length, and spread at large on the journal, as follows:

Grand Rapids, April 19, 1887.

Hon. Joseph Dillon, Lansing, Mich.:

DEAR SIR:—At a meeting of the Wood Carvers' Association of this city the following preamble and resolution was unanimously adopted:

WHEREAS, The mode of voting at elections in vogue at present in this State is undeniably conducive of corruption, by intimidation of voters and the influence of money in electing men to offices of public trust;

Therefore be it resolved, That our representatives in the State Senate and Legislature be requested to use every honorable effort within their power to secure the passage of Mr. Grenell's bill "to preserve the purity of elections and guard against abuses of the elective franchise," known as House bill No. 178, file 166.

WILLIAM EVANS, *Pres.*

LOUIS C. F. HINTZ, *Sec.*

Referred to the committee on labor interests.

No. 947. By H. Watson: Petition of H. M. Conklin and numerous others asking that the passenger fare on railroads in this State be reduced to two cents a mile.

Also,

No. 948. Petition of H. M. Fuller and numerous others, same subject.

Referred to the committee on railroads.

No. 949. By Mr. McKie: Petition of John S. Beers and others, relative to railroad aid.

On demand of Mr. McKie,

The petition was read at length and spread at large on the journal as follows:

Stevensville, Mich., April 4, 1887.

To the Honorable the Senate and House of Representatives of the State of Michigan and to the Committee on State Affairs:

GENTLEMEN—At the annual township election held in township of Lincoln at the above date, the following petition was unanimously endorsed by resolution so far as the said McKie resolution refers to the township of Lincoln. Petition as follows:

Your petitioners, citizens and taxpayers of the township of Lincoln, county of Berrien, respectfully represent that they fully ratify the statements in the McKie resolution relative to the bonds of certain townships voted in aid for the construction of railroads through their territories, and the reasons for the delay of the payment of the same, etc., therein set forth. And our constant

prayer is that relief be granted, as it is our firm conviction that we are justly entitled thereto.

JOHN S. BEERS, *Supervisor.*

CALVIN E. JILLSON, *Township Clerk.*

MANOR N. LORD, *Justice of the Peace.*

Township Board of the Township of Lincoln.

Referred to the committee on State affairs.

No. 950. By Mr. Simpson: Petition of James Bennett, Patrick Finley and 174 others in reference to the holding of Catholic church property, and protesting against the passage of the so-called Gorman bill.

Referred to the committee on religious and benevolent societies.

REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 298 (file No. 216), entitled

An act to provide for the incorporation of lodges of the Ancient Order of United Workmen.

Also,

House bill No. 187 (file No. 127), entitled

An act to amend section 14, of chapter 196, of Howell's annotated statutes of Michigan, being compiler's section 5091 relative to apportionment of one-mill tax.

Also,

House bill No. 142 (file No. 65), entitled

An act to amend sections 21 and 22 of chapter 22 of the compiled laws of 1871, being compiler's sections 1262 and 1263 of Howell's annotated statutes of Michigan, relative to hawkers and peddlers.

Also,

House bill No. 423 (file No. 239), entitled

An act to incorporate the village of Naubinway, in the county of Mackinac and State of Michigan.

Also,

House bill No. 583, (manuscript), entitled

An act to detach certain territory from the township of Gerrish, in the county of Roscommon, in this State, and to organize the township of Markey, in said county,

Also,

House bill No. 579 (manuscript), entitled

An act to amend section 1 of act No. 274 of the local acts of 1875, entitled "An act to incorporate the village of Hancock," approved March 19, 1875.

ROBERT Y. OGG, *Chairman.*

Report accepted.

By the committee on public lands:

The committee on public lands, to whom was referred

House bill No. 168, entitled

A bill to provide for the drainage and reclamation of swamp land by means of a ditch from Little Black Lake in Muskegon county to Lake Michigan and to make an appropriation of State swamp land therefor.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. D. O'KEEFE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

Joint resolution No 21, for the auditing and payment of land warrants heretofore issued by the Auditor General of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. D. O'KEEFE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

House bill No. 366 (file No. 133), entitled

A bill to provide for laying out and establishing a State road to connect the Sable river State road with the Tawas and Manistee State road in the counties of Arenac, Iosco and Ogemaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

R. D. O'KEEFE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. O'Keefe,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 541, entitled

A bill to authorize the city of East Saginaw to acquire by dedication, grant or otherwise the right to use and maintain the city line ditch so called for the purpose of drainage,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the joint committees on the several asylums for the insane:

The joint committees on asylums for the insane, to whom was referred Senate bill No. 350 (file No. 183), entitled

A bill to amend section 37 of act No. 135 of the session laws of 1885, approved June 3, 1885, entitled "An act to amend, revise and consolidate the laws organizing asylums for the insane, and regulating the care and management thereof and of the inmates therein, and to repeal act No. 164, laws of 1869; also act 194, laws of 1877; also act 91, laws of 1873, and the acts amendatory thereto; also act 172, laws of 1873,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

B. D. ASHTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ashton,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 20, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 215 (file No. 215), entitled

A bill to provide for the current expenses of the State Normal School for the years 1887 and 1888,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 20, 1887. }

To the Speaker of the House of Representatives:

Sir—I am instructed by the Senate to transmit the following bill:

Senate bill No. 419 (file No. 188), entitled

A bill to amend section 5 of act No. 182 of the public acts of 1885, entitled "An act to provide for the appointment of a live stock sanitary commission and a State veterinarian, and to prescribe their powers and duties, and to prevent and suppress contagious and infectious diseases among the live stock

of the State," and to repeal section 6 of said act, and add another section thereto to stand as section 23,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 20, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 220 (file No. 151), entitled

A bill to amend section 5 of act 31 of the public acts of 1858, being compiler's section 5394 of Howell's Annotated Statutes, relative to the sale and reclamation of swamp lands and securing the pre-emption of settlers, as amended by act No. 181 of the public acts of 1885, approved June 10, 1885,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and pending its reference to a committee,

On motion of Mr. Abbott,

The bill was referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 20, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 43 (file No. 186), entitled

A bill to amend section two of an act entitled "An act making appropriation for the expenses of State officers and State government for the years 1885 and 1886, and to provide a tax for the payment of the same," approved June 14, 1885,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 20, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 924 (file No. 227), entitled

A bill to amend section 4 of an act entitled “An act creating a bureau of labor and industrial statistics, and defining the powers and duties of the same,” approved June 6, 1883, as amended by act No. 189 of the laws of 1885,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 20, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 712, entitled

A bill to repeal sections 4, 5, 6, 7, and 8, of article 16, of act number 348 of the session laws of 1869, being an act entitled “An act to re-incorporate the village of Fenton, and to amend section 7 of article 6, section 3, of article 16, section 4 of article 17, and section 1 of article 26 of act number 348 of the session laws of 1869 being an act entitled ‘An act to incorporate the village of Fenton,’ and sections 2 and 8 of article 6 of act number 348 of the session laws of 1869, being an act entitled ‘An act to re-incorporate the village of Fenton,’ as amended by act number 362 of the local acts of 1879, being an act entitled “An act to amend section 2 of article 6, and to add a new section thereto to stand as section 8 of act number 348 of the session laws of 1869,” approved March 26, 1869, entitled ‘An act to re-incorporate the village of Fenton.’”

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

THIRD READING OF BILLS.

House bill No. 17 (file No. 316), entitled

A bill to amend compiler's section 1594 of chapter 36 of Howell's annotated statutes of Michigan “with reference to interest of money,”

Was read a third time and was passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Jones,	Mr. Reader,
Allen,	Dillon,	Kallander,	Robinson, J. W
Anderson,	Douglass,	Kirby,	Robinson, R.,
Ashton,	Dunbar,	Makelim,	Rogers,
Bates,	Eldred,	Manly,	Simpson,
Bettinger,	Engleman,	McCormick,	Spencer,
Bentley,	Goodrich,	Mulvey,	Stuart,
Breen,	Green,	O'Keefe,	Thompson,
Burr,	Harper,	Oviatt,	Tindall,
Cady,	Haskin,	Pardee,	VanOrthwick,
Cannon,	Hill,	Perkins,	Watson, H.,
Chamberlain,	Hoaglin,	Pettit,	Wellman,
Chapell,	Hoobler,	Pierce,	Wilson,
Cole,	Houk,	Powers,	Wood,
Crocker,	Hunt,	Preston,	Speaker,
Damon,			

61

NAYS.

0

The question being on agreeing to the title,

Mr. Abbott moved to amend the title so as to read as follows:

A bill to amend section 3 of chapter 41 of compiled laws of 1871, being compiler's section 1594, of chapter 36, of Howell's annotated statutes of Michigan, with reference to interest of money,

Which motion prevailed.

The title as amended was then agreed to.

House bill No. 353 (file No. 320), entitled

A bill making an appropriation for the support of the Michigan School for the Blind for the years 1887 and 1888,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Engleman,	Mr. Manly,	Mr. Rumsey,
Allen,	Green,	McCormick,	Simpson,
Ashton,	Harper,	McGregor,	Spencer,
Bates,	Haskin,	McKie,	VanOrthwick,
Bettinger,	Hill,	Mulvey,	Vickary,
Breen,	Hoaglin,	Ogg,	Vroman,
Burr,	Hoobler,	O'Keefe,	Washburn,
Cady,	Hosford,	Oviatt,	Watson, H.,
Cannon,	Houk,	Pettit,	Watts,
Chamberlain,	Hunt,	Powers,	Wellman,
Chapell,	Jones,	Preston,	Williams, T.H.
Cole,	Kallander,	Reader,	Williams, W.W.
Damon,	Lincoln,	Robinson, J.W.,	Wood,
Diekema,	Makelim,	Robinson, R.,	Speaker,
Douglass,			

57

NAYS.

0

Title agreed to

On motion of Mr. T. H. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 638 (file No. 319), entitled

A bill to amend sections 3 and 7 of act No. 37 of the public acts of 1883 entitled "An act to incorporate the Grand Army of the Republic, Department of Michigan, and subordinate posts of the Grand Army of the Republic," approved April 21, 1883,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, and follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Kelley,	Mr. Rounsville,
Allen,	Dillon,	Manly,	Rumsey,
Anderson,	Douglass,	McGregor,	Simpson,
Ashton,	Dunbar,	Mulvey,	Spencer,
Baker, W. A.,	Eldred,	Ogg,	Stuart,
Bates,	Engleman,	O'Keefe,	Tindall,
Beecher,	Green,	Oviatt,	Van Orthwick,
Bettinger,	Harper,	Perkins,	Vickary,
Breen,	Haskin,	Pettit,	Washburn,
Burr,	Hill,	Powers,	Wellman,
Cady,	Hoaglin,	Preston,	Williams, T. H.
Cannon,	Hosford,	Reader,	Wilson,
Chamberlain,	Hunt,	Robinson, J. W.	Wood,
Chapell,	Jones,		

54

NAYS.

0

Title agreed to.

House bill No. 420 (file No. 317), entitled

A bill for the identification of convicts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Kirby,	Mr. Rogers,
Allen,	Dillon,	Lincoln,	Rumsey,
Anderson,	Douglass,	Manly,	Spencer,
Ashton,	Dunbar,	McCormick,	Stuart,
Baker, S.,	Eldred,	McKie,	Tindall,
Baker, W. A.,	Engleman,	Mulvey,	Van Orthwick,
Baldwin,	Green,	Ogg,	Vickary,
Bates,	Haskin,	O'Keefe,	Washburn,
Breen,	Hill,	Oviatt,	Watts,
Burr,	Hoaglin,	Perkins,	Wellman,
Cady,	Hosford,	Pettit,	Williams, T. H.
Cannon,	Houk,	Preston,	Williams, W. W.
Chamberlain,	Hunt,	Reader,	Wilson,
Chapell,	Jones,	Robinson, J. W.	Wood,
Cole,	Kallender,	Robinson, R.,	Speaker,
Crocker,	Kelley,		

62

NAYS.

0

Title agreed to.

House bill No. 596 (file No. 314), entitled

A bill providing for the employment, defining the duties and fixing the compensation of a stenographer for the thirteenth judicial circuit, State of Michigan,

Was read a third time, and pending the taking the vote on the passage thereof,

Mr. Manly moved to amend the bill by striking out in line 1, section 5, and in line 2, section 6, the words "write out," and inserting in lieu thereof the word "furnish" in each case,

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Douglass,	Mr. Lincoln,	Mr. Robinson, R.,
Allen,	Dunbar,	Manly,	Rogers,
Anderson,	Eldred,	McCormick,	Rounsville,
Ashton,	Engleman,	McGregor,	Rumsey,
Baker, W. A.,	Green,	McKie,	Simpson,
Baldwin,	Harper,	Mulvey,	Spencer,
Bates,	Haskin,	Ogg,	Stuart,
Bettinger,	Hill,	O'Keefe,	Tindall,
Breen,	Hoaglin,	Oviatt,	VanOrthwick,
Burr,	Hoobler,	Pardee,	Vickary,
Cannon,	Hoaford,	Perkins,	Watts,
Chamberlain,	Houk,	Pettit,	Webber,
Chapell,	Jones,	Powers,	Wellman,
Cole,	Kallander,	Preston,	Wilson,
Crocker,	Kelly,	Reader,	Speaker
Damon,	Kirby,		

62

NAYS.

0

Title agreed to.

On motion of Mr. Perkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 161 (file No. 313), entitled

A bill providing for the employment, defining the duties, and fixing the compensation of a stenographer for the second judicial circuit, State of Michigan,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Abbott moved to amend the bill by striking out in line 1, section 5, and line 2, section 6, the words "write out" and inserting in each case the word "furnish" in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Kallender,	Mr. Rogers,
Allen,	Damon,	Kelley,	Rounsville,
Anderson,	Dillon,	Kirby,	Rumsey,
Ashton,	Douglass,	Manly,	Simpson,
Baker, S.,	Dunbar,	McCormick,	Spencer,
Baker, W. A.,	Eldred,	McGregor,	Stuart,
Baldwin,	Engleman,	McKie,	Tindall,
Bates,	Green,	Mulvey,	VanOrthwick,
Beecher,	Harper,	O'Keefe,	Vickary,
Bettinger,	Haskin,	Oviatt,	Washburn,
Bentley,	Hill,	Pardee,	Watts,
Breen,	Hoaglin,	Perkins,	Webber,
Burr,	Hoobler,	Pettit,	Wellman,
Cady,	Hosford,	Powers,	Williams, T.H.
Cannon,	Houk,	Preston,	Wilson,
Chamberlain,	Hunt,	Reader,	Wood,
Chapell,	Jones,	Robinson, R.,	Speaker,
Cole,			69

NAYS.

0

Title agreed to.

On motion of Mr. Abbott,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 87 (file No. 306), entitled

A bill defining the duties and regulating the compensation of the official stenographer of the fourteenth judicial circuit of the State of Michigan in the matter of filing transcripts of court proceedings in the circuit courts thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Kelley,	Mr. Robinson, J. W.
Allen,	Damon,	Kirby,	Rumsey,
Anderson,	Douglass,	Makelim,	Simpson,
Ashton,	Dunbar,	McCormick,	Spencer,
Baker, W. A.,	Eldred,	McGregor,	Stuart,
Baldwin,	Green,	McKie,	Tindall,
Bates,	Harper,	Mulvey,	VanOrthwick,
Beecher,	Haskin,	O'Keefe,	Vickary,
Bettinger,	Hill,	Oviatt,	Washburn,
Bentley,	Hoaglin,	Pardee,	Watts,
Breen,	Hoobler,	Perkins,	Webber,
Burr,	Hosford,	Pettit,	Wellman,
Cannon,	Houk,	Preston,	Wilson,
Chamberlain,	Hunt,	Reader,	Wood,
Chapell,	Kallender,	Rentz,	Speaker,
Cole,			61

NAYS.

0

Title agreed to.

On motion of Mr. R. Robinson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 415 (file No. 305), entitled

A bill to provide for the appointment, fix the compensation and prescribe the duties of the stenographer of the circuit courts for the counties of Allegan and Ottawa, now comprising the 20th judicial circuit,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.*

Mr. Abbott,	Mr. Dillon,	Mr. Linton,	Mr. Robinson, R.,
Allen,	Douglass,	Manly,	Rounsville,
Anderson,	Dunbar,	McCormick,	Rumsey,
Ashton,	Eldred,	McGregor,	Simpson,
Baker, S.,	Green,	McKie,	Spencer,
Baldwin,	Harper,	Mulvey,	Stuart,
Bates,	Haskin,	O'Keefe,	Tindall,
Beecher,	Hill,	Oviatt,	Van Orthwick,
Bettinger,	Hoaglin,	Pardee,	Vickary,
Bentley,	Hoobler,	Perkins,	Washburn,
Breen,	Hosford,	Pettit,	Watts,
Burr,	Houk,	Powers,	Webber,
Cannon,	Hunt,	Preston,	Wellman,
Chamberlain,	Jones,	Reader,	Wilson,
Cole,	Kallander,	Rentz,	Wood,
Crocker,	Kelley,	Robinson, J. W	Speaker,
Damon,	Lincoln,		

66

NAYS.

0

Title agreed to.

On motion of Mr. Jones,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Hoaglin moved to discharge the committee of the whole from the further consideration of

House bill No. 156 (file No. 312), entitled

A bill to provide compensation to stenographers for transcript of cases stenographically reported in the courts for the fifth judicial circuit of the State of Michigan,

Which motion prevailed.

On motion of Mr. Hoaglin,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Douglass,	Mr. McCormick,	Mr. Rounsville,
Ashton,	Dunbar,	McGregor,	Rumsey,
Baker, W. A.,	Eldred,	McKie,	Simpson,
Baldwin,	Green,	Mulvey,	Spencer,
Bates,	Grenell,	O'Keefe,	Stuart,
Beecher,	Harper,	Oviatt,	Tindall,

Mr. Bettinger,	Mr. Haskin,	Mr. Pardee,	Mr. VanOrthwick,
Bentley,	Hill,	Perkins,	Vickary,
Burr,	Hoaglin,	Pettit,	Washburn,
Cady,	Hoobler,	Powers,	Watts,
Cannon,	Houk,	Preston,	Webber,
Chamberlain,	Jones,	Reader,	Wellman,
Chapell,	Kallander,	Rentz,	Williams, W. W.
Cole,	Kelley,	Robinson, J. W.	Wilson,
Crocker,	Kirby,	Robinson, R.,	Wood,
Damon,	Linton,	Rogers,	Speaker,
Dillon,	Manly,		

66

NAYS.

0

Title agreed to.

On motion of Mr. Hoaglin,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Linton moved to discharge the committee of the whole from the further consideration of

House bill No. 541, entitled

A bill to authorize the city of East Saginaw to acquire by dedication, grant or otherwise, the right to use and maintain the city line ditch, so called, for the purpose of drainage,

Which motion prevailed.

On motion of Mr. Linton,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Makelim,	Mr. Rogers,
Allen,	Dunbar,	Manly,	Rounsville,
Baker, S.,	Eldred,	McCormick,	Rumsey,
Baldwin,	Green,	McGregor,	Simpson,
Bates,	Grenell,	McKie,	Spencer,
Beecher,	Harper,	Mulvey,	Stuart,
Bettinger,	Haskin,	Oviatt,	Tindall,
Bentley,	Hoaglin,	Pardee,	VanOrthwick,
Breen,	Hoobler,	Perkins,	Vickary,
Burr,	Hosford,	Pettit,	Washburn,
Cady,	Houk,	Powers,	Watts,
Cannon,	Jones,	Preston,	Wellman,
Chamberlain,	Kallander,	Reader,	Williams, W. W.
Chapell,	Kelley,	Rentz,	Wilson,
Cole,	Kirby,	Robinson, J. W.	Wood,
Crocker,	Linton,	Robinson, R.,	Speaker,
Damon,			

65

NAYS.

0

Title agreed to.

On motion of Mr. Linton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Jones,

The House took a recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

The House resumed the order of

THIRD READING OF BILLS.

House bills No. 212 and 308 (file No. 303), entitled

A bill to provide for the purchase of land and the erection of buildings for the use and benefit of the Michigan Asylum for the Insane at Kalamazoo, and to make payment for the same out of the surplus moneys in the hands of the treasurer of said asylum,

Was read a third time and passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Allen,	Mr. Damon,	Mr. Kallander,	Mr. Rentz,
Ashton,	Dillon,	Kelly,	Robinson, J. W.
Baker, S.,	Douglass,	Kirby,	Robinson, R.,
Baker, W. A.,	Dunbar,	Lakey,	Rounsville,
Baldwin,	Eldred,	Lincoln,	Rumsey,
Bates,	Grenell,	Linton,	Simpson,
Beecher,	Harper,	Makelim,	Spencer,
Bettinger,	Haskin,	Manly,	Stuart,
Bentley,	Hill,	McKie,	Vickary,
Breen,	Hoaglin,	McMillan,	Washburn,
Burr,	Holt,	Mulvey,	Watson, H.,
Cannon,	Hoobler,	O'Keefe,	Watts,
Chamberlain,	Hosford,	Oviatt,	Williams, W. W.
Chapell,	Houk,	Pettit,	Wilson,
Crocker,	Jones,	Reader,	Wood, 60

NAYS.

0

Title agreed to.

On motion of Mr. Jones,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 685 (file No. 258), entitled

A bill to amend section 2 of act No. 168, session laws of 1885, entitled "An act to amend sections 1, 2, 3, 4, 5, and 6 of an act establishing a State Agency for the care of juvenile offenders," approved April 29, 1873, as amended by an act to amend section 1 of said act, approved March 19, 1875, the same being sections 9894, 9895, 9896, 9897, 9898, and 9899 of Howell's annotated statutes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Douglass,	Mr. Lincoln,	Mr. Rogers,
Ashton,	Dunbar,	Makelim,	Rounsville,
Baker, W. A.,	Eldred,	Manly,	Rumsey,
Baldwin,	Engleman,	McKie,	Simpson,
Bardwell,	Grenell,	McMillan,	Spencer,
Bates,	Harper,	Mulvey,	Stuart,
Beecher,	Haskin,	Ogg,	Tindall,
Bettinger	Hill,	O'Keefe,	VanOrthwick,
Bentley,	Hoaglin,	Oviatt,	Vroman,
Breen,	Holt,	Perkins,	Washburn,
Burr,	Hoobler,	Pettit,	Watson, H.,
Cannon,	Hosford,	Powers,	Watts,
Chapell,	Jones,	Reader,	Webber,
Cole,	Kallender,	Rentz,	Wellman,
Crocker,	Kelley,	Robinson, J. W.	Williams, T. H.
Damon,	Kirby,	Robinson, R.,	Wood,
Dillon,			65

NAYS.

0

Title agreed to.

On motion of Mr. Douglass,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS AND RESOLUTIONS.

Mr. Dillon moved to discharge the committee on judiciary from the further consideration of

House bill No. 762, entitled

A bill to regulate the number of persons that may be employed at any labor or trade in prisons.

Which motion prevailed.

On motion of Mr. Dillon,

The bill was referred to the committee on labor interests.

Mr. Kallender moved to take from the table

Senate bill No. 197, entitled

A bill to restrict the powers of commissioners of highways in the township of Ironwood, in the county of Gogebic, and to authorize the township board of said township to provide for maintaining the streets, sidewalks, crosswalks, and alleys now built, or hereafter to be built, within the limits of the plat of the village of Ironwood, in said township, as laid down on plat of said village, duly recorded in the office of the Register of Deeds in and for the county of Gogebic, and to authorize the township board of said township of Ironwood to maintain a fire department and to license hawkers, peddlers, and auctioneers within said township,

Which motion prevailed.

On motion of Mr. Kallender,

The bill was re-referred to the committee on roads and bridges.

Mr. Stuart moved to discharge the committee of the whole from the further consideration of

House bill No. 7 (file No. 12), entitled

A bill concerning title of municipal property in the city of Detroit,
Which motion prevailed.

Mr. Stuart offered a substitute for the bill, with the same title.

On motion of Mr. Stuart,

The House adopted the substitute, and

On motion of Mr. Stuart,

The bill was then ordered printed, referred to the committee of the whole,
and placed on the general order.

The House took up the order of

REPORTS OF STANDING COMMITTEES.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 97, entitled

A bill to amend section 9, of article 2, of act number 198, of the session laws of 1873, being an act entitled, "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," as amended by act number 177, session laws of 1877, and act number 116, public acts of 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manly,

The bill was ordered printed, referred to the committee of the whole,
and placed on the general order.

By the committee on railroads.

The committee on railroads, to whom was referred

House bill No. 296 (file No. 235), entitled

A bill to regulate the passenger and freight tariff, to provide for a uniform classification of freight and maximum freight rates, and to prevent unjust discrimination in charges or tolls, or compensation for transportation of passengers or freights upon the railroads in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

Pending action on the report,

Mr. Rogers offered a substitute for the bill with the same title.

On motion of Mr. Rogers,

The House adopted the substitute, which was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 539 file No. 265), entitled

A bill to amend "An act to revise the charter of the city of East Saginaw, being amendatory of an act entitled an act to incorporate the city of East Saginaw," approved February 14, 1859, as amended by the several acts amendatory thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to amend an act entitled An act to revise the charter of the city of East Saginaw, being act No. 355 of local acts of 1885, approved May 19, 1885, being amendatory of an act entitled An act to incorporate the city of East Saginaw, approved February 14, 1859, as amended by the several acts amendatory thereof,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Linton,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Allen,	Mr. Dillon,	Mr. Lincoln,	Mr. Rounsville,
Ashton,	Douglass,	Linton,	Rumsey,
Baker, S.,	Dunbar,	Makelim,	Spencer,
Baker, W. A.,	Eldred,	Manly,	Stuart,
Baldwin,	Grenell,	McKie,	Tindall,
Bardwell,	Harper,	McMillan,	VanOrthwick,
Bates,	Haskin,	Ogg,	Vickary,
Beecher,	Hill,	O'Keefe,	Vroman,
Bentley,	Hoobler,	Oviatt,	Washburn,
Breen,	Hosford,	Perkins,	Watson, H.,
Burr,	Houk,	Pettit,	Watts,
Cannon,	Jones,	Reader,	Wellman,
Chapell,	Kallander,	Rentz,	Williams, W. W
Cole,	Kelley,	Robinson, J. W.	Wilson,
Crocker,	Kirby,	Robinson, R.,	Wood,
Damon,	Lahey,	Rogers,	Speaker, 64

NAYS.

Mr. McGregor,

1

Title agreed to.

On motion of Mr. Linton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on asylum for insane criminals:

The committee on asylum for insane criminals, to whom was referred Senate bill No. 55 (file No. 48), entitled

A bill making an appropriation for the asylum for insane criminals,

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY BURR, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee on ways and means.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Senate bill No. 287, entitled

A bill to cede jurisdiction to the United States of America, over land now occupied and to be occupied in the enlargement and improvement of "The Lake Superior Ship Canal Railway and Iron Company," and "The Portage Lake and River Improvement Company," Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

T. G. HOUK, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 21, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 385, entitled

A bill to amend section 3 of chapter 7, section 3 of chapter 14, section 6 of chapter 19, sections 3 and 15 of chapter 21, sections 14 and 21 of chapter 22, section 1 of chapter 23 and section 2 of chapter 25 of act No. 337 of the local acts of 1883, entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo," and to repeal all inconsistent acts and parts of acts, approved March 25, 1861, as amended by the several acts amendatory thereof, approved June 8, 1883, and to add eight new sections thereto to stand as section 6 of chapter 6, and sections 9, 10, 11, 12, 13, 14 and 15 of chapter 26, respectively,

In the passage of which, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

GENERAL ORDER.

On motion of Mr. Bates,

The House went into committee of the whole, on the general order,
Whereupon the Speaker called Mr. Manley to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report :

The committee of the whole have had under consideration the following bills :

1. Senate bill No. 102 (file No. 123), entitled

A bill to make all debts for labor preferred claims against the estates of debtors becoming insolvent, and give the same precedence over all debts not a lien on such estates prior to the performance of such labor,

2. Senate bill No. 163 (file No. 121), entitled

A bill to amend section 23 of chapter 225 of the compiled laws of 1871, entitled "Informations in the nature of a *quo warranto*, and in certain other cases," being compiler's section No. 8657 of Howell's annotated statutes,

3. Senate bill No. 22 (file No. 25), entitled

A bill to require security to be given on staying proceeding upon verdicts, and judgments in the circuit courts of this State,

4. House bill No. 670 (file No. 324), entitled

A bill to prohibit the destruction of fish in Hogsett Lake in the township of Portage, and Gourdneck Lake in the townships of Portage and Schoolcraft, in Kalamazoo county,

5. House bill No. 411 (file No. 328), entitled

A bill to prohibit the employment of children under 16 years of age and of females under eighteen years of age for more than 9 hours a day,

6. House bill No. 216 (file No. 329), entitled

A bill to authorize the trustees, vestrymen, consistory, or other governing body of any religious society incorporated under the laws of this State, to receive money by gift or bequest when the same is to be invested and the income thereof applied in payment or part payment of the salary of their minister, priest, rector, parson or clergyman,

7. House bill No. 429 (file No. 330), entitled

A bill to detach certain territory from graded school district No. 4, of Evergreen, Sidney, Bushnell and Fairplains, and from primary school districts Nos. 1 and 5 of the township of Sidney, and from fractional district No. 6 of the townships of Evergreen and Sidney, in the county of Montcalm, and erect the same into a primary school district, and to provide for the first meeting of said district.

8. House bill No. 809 (file No. 331), entitled

A bill to amend section 16 of act number 173 of the session laws of 1855, being section 6829 of Howell's annotated statutes relative to justice courts,

9. House bill No. 198, (file No. 332), entitled

A bill to legalize the action of the board of school inspectors of the township of Nottawa, in the county of Isabella, and to establish the boundaries of school district number two in said township,

10. House bill No. 355 (file No. 342), entitled

A bill to protect children and prevent them from being educated in immorality and crime,

11. Senate bill No. 237 (file No. 122), entitled

A bill to amend section 1 of an act entitled "An act to provide wives with property and maintenance from their husband's estate, when neglected or deserted by them," approved April 24, 1873, being consecutive section six thousand two hundred and ninety-one of the general statutes of Michigan in force, compiled and annotated by Andrew Howell, as amended by act No. 149 of the public acts of the State of Michigan of 1885,

12. Senate bill No. 143 (file No. 114), entitled

A bill to amend section 4345 of the compiled laws of the year 1871, being section 5808 of Howell's annotated statutes relative to wills of real and personal estate,

13. Senate bill No. 175 (file No. 85), entitled

A bill to provide for the better protection of lives of passengers and employes on railroad trains.

14. Senate bill No. 111 (file No. 81), entitled

A bill to amend section one of act No. 147 of the session laws of 1885, entitled "An act to provide for the introduction and use on all cars owned and operated by any railroad company or other corporation doing business in this State, of some form of automatic car coupling, by means of which all cars may be coupled and uncoupled without the necessity of the brakeman or any other person passing between the cars,"

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

15. House bill No. 611, (file No. 322), entitled

A bill to amend section 4 of chapter 7 of section 227 of the session laws of 1885, being an act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto,

16. House bill No. 92 (file No. 325) entitled

A bill to prevent the destruction of Fish in Klinger lake, White Pigeon township, Middle lake in Sherman and Sturgis Townships and Thompson lake in Sherman township in the county of St. Joseph,

17. House bill No. 808 (file No. 346), entitled

A bill to authorize the township of Sherman, in the county of Iosco, to borrow money for the payment of the highway and other indebtedness of said township,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

18. Senate bill No. 105 (file No. 119), entitled

A bill to repeal act No. 246, of the public acts of 1879, entitled, "An act in relation to commencement of actions relating to real estate, and for labor or services, and service of process therein," approved May 31, 1879, being section 7317 of Howell's annotated statutes,

19. Senate bill No. 306 (file No 168), entitled

A bill to amend section 4, of chapter 263, of the compiled laws of 1871, being compiler's section 9586, relative to inquests on the view of dead bodies,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

CHARLES H. MANLY, *Chairman*.

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth named bills were placed on the order of third reading.

On motion of Mr. Manly,

The House concurred in the amendments made by the committee to the fifteenth, sixteenth and seventeenth named bills, and they were placed on the order of third reading.

On motion of Mr. H. Watson,

The House concurred in the action of the committee in striking out all after the enacting clause of the eighteenth named bill, and

The title and enacting clause was laid on the table.

The question being on concurring in the action of the committee in striking out all after the enacting clause of the nineteenth named bill,

On motion of Mr. McKie,

The bill was laid on the table.

The special committee on charges against Representative Dakin reported as follows:

SPECIFIC CHARGES.

Articles exhibited on behalf of the special committee of the House of Representatives of the State of Michigan, appointed April 20, 1887, against Milo H. Dakin, member of the said House of Representatives, from the first representative district of Saginaw county, in relation to the charges preferred against him for misfeasance, malfeasance, or venal and corrupt conduct in office.

ARTICLE I.

That said Milo H. Dakin, member of the House of Representatives from the first representative district of Saginaw county, unmindful of the high duties of his office, of his oath of office, and of the requirements of the constitution and laws of this State, did corruptly, unlawfully, and in violation of the constitution and laws of this State, on the 19th day of April, A. D. 1887, and on divers other days, and times between the day of taking his said oath of office and the time of the preferring of said charges receive from John H. Shakelton, Mayor of Saginaw City, certain sums of money for the purpose of corruptly using the same among the members of the House of Representatives of the Michigan Legislature in influencing votes for the passage of a bill to amend the charter of Saginaw City, then pending before the committees on labor interests and municipal corporations of said House of Representatives.

ARTICLE II.

That said Milo H. Dakin, member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, of his oath of office, and the requirements of the constitution and laws of this State, did corruptly, unlawfully, and in violation of the constitution and laws of this State, on the 19th day of April, A. D. 1887, and on divers other days and times, between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from said John H. Shakelton, mayor of Saginaw City, from Frederic L. Eaton of Saginaw, and from various other persons for the purpose ostensibly of corruptly using such money among the members of the House of Representatives of the Michigan State Legislature, to influence their votes in favor of the passage of a bill to amend the charter of Saginaw City, then

pending before the committees on labor interests and municipal corporations of said House of Representatives, but in fact for the purpose of corruptly and unlawfully appropriating all or a part of such money for his own personal use and benefit.

ARTICLE III.

That said Milo H. Dakin, member of the House of Representatives, from said first representative district of Saginaw county, unmindful of the high duties of his office, of his oath of office, and of the requirements of the constitution and the laws of this State, did, corruptly, unlawfully, and in violation of the constitution and laws of this State, on the 19th day of April in the year A. D. 1887, between the day of taking his said oath of office and the preferring of said charges make a list of names of certain members of said House of Representative, of the State of Michigan, together with the amount of money necessary to procure the vote and influence of each of said members named in said list, in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committees on labor interests and municipal corporations jointly, to-wit:

[Here appeared the names of fifteen members of the House which are, for prudential reasons, omitted herefrom.]

And that said Milo H. Dakin did represent to said Frederic L. Eaton, of Saginaw, that to secure the votes and influence of said members it would be necessary to use with each of them the amount of money set opposite his name, thereby bringing the good name and character of said members into ill-repute.

ARTICLE IV.

That said Milo H. Dakin, member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, of his oath of office, and the requirements of the constitution and laws of this State, did corruptly, unlawfully and in violation of the constitution and laws of this State, on the 19th day of April, A. D. 1887, and on diverse other days and times between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from John H. Shakelton, Mayor of Saginaw City, Frederic L. Eaton, and from various other persons, for the purpose of corruptly using such money, so obtained, among the members of the House of Representatives of the State of Michigan, to influence their votes and efforts in favor of the passage of a bill to amend the charter of the city of Saginaw, then pending before the committees on labor interests and municipal corporations jointly of the House of Representatives of Michigan.

Dated Lansing, Mich., April 21, 1887.

A. R. CHAPMAN,
JOHN V. B. GOODRICH,
H. W. THOMPSON,
A. B. PIERCE,
B. A. SNOW,

Committee on behalf of the House of Representatives.

Report accepted.

The question being on the adoption of the report,

The report was adopted.

By the committee on municipal corporations and labor interests:

The committee on municipal corporations and labor interests, to whom was referred

House bill No. 667, entitled

A bill to amend and revise the charter of the city of Saginaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to revise and amend the charter of the city of Saginaw and to repeal act No. 227, local acts of 1883, entitled an act to revise and amend the charter of the city of Saginaw and to repeal act No. 496 of the laws of 1867, entitled an act to revise and amend the charter of the city of Saginaw, approved Feb. 5, 1859, as amended by act No. 338, local acts of 1835, approved April 29, 1885.

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

A. V. ABBOTT,
N. B. WASHBURN,
WM. S. LINTON,
T. H. WILLIAMS,
ROBERT Y. OGG,
C. WELLMAN.

Report accepted and committee discharged.

By the minority of the joint committees on municipal corporations and labor interests :

The minority of the joint committee on municipal corporations and labor interests dissent from the report of the majority of said committees on the charter amendments to the city of Saginaw, so far as the annexation of a portion of the township of Carrollton is concerned, for the following reasons:

First. Said territory consists of a narrow strip of land about three-quarters of a mile in length and averaging about fifteen rods in width, lying directly between Saginaw City and East Saginaw on the Saginaw City side of Saginaw river, its principal owners residing in East Saginaw, and who strongly oppose the annexation, we believe, for the simple reason of avoiding any additional taxation, they at the same time having all the fire protection, use of electric lights, etc., as though they were annexed to Saginaw City.

Second—Said territory affords a rendezvous for all classes of lawless people from both cities, and where the police have no jurisdiction to keep order;

Third—We do not believe the township of Carrollton can afford to open up roads across said territory, and keep in repair the bridges across a large bayou on said territory which will be needed in the near future, and while we admit the fact that Carrollton will lose this taxable property, we believe it is for her best interests to have said territory annexed;

Fourth. It will fix the boundary line between the two cities in the middle of Saginaw river, and make a more symmetrical city of Saginaw. Therefore, we the undersigned members of said committees, believing said territory

should belong to Saginaw City, respectfully dissent from the opinion of the majority of said committees and recommend that the bill amending the charter of Saginaw shall retain the clause annexing said territory.

GEO. OVIATT,
JOHN MAKELIM,
THEO. RENTZ,

Report accepted.

Mr. Oviatt moved that the minority report be substituted for the report of the majority of the joint committee.

Which motion did not prevail.

On motion of Mr. Linton,

The House concurred in the adoption of the substitute reported by committee.

On motion of Mr. Linton,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Eldred,	Mr. McCormick,	Mr. Simpson,
Baldwin,	Goodrich,	McGregor,	Spencer,
Bates,	Green,	McKie,	Stuart,
Beecher,	Grenell,	McMillan,	Thompson,
Bettinger,	Harper,	Mulvey,	VanOrthwick,
Bentley,	Herrington,	Ogg,	Vickary,
Burr,	Hoaglin,	Oviatt,	Vroman,
Cannon,	Hoobler,	Pardee,	Washburn,
Chamberlain,	Hosford,	Perkins,	Watson, H.
Chapell,	Jones,	Pettit,	Watts,
Chapman,	Kallender,	Reader,	Webber,
Damon,	Kelley,	Robinson, J. W.	Williams, T. H.
Diekema,	Kirby,	Robinson, R.,	Williams, W. W.
Dillon,	Lincoln,	Rogers,	Wood,
Douglass,	Linton,	Rounsville,	Speaker,
Dunbar,	Manly,	Rumsey,	63

NAYS.

Mr. Mr. Crocker,	Mr. Houk,	Mr. O'Keefe,	Mr. Rentz,	6
Engleman,	Makelim,			

Title agreed to.

On motion of Mr. Linton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Simpson,

The House adjourned.

Lansing, Friday, April 22, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Franklin.

Roll called: quorum present,

Absent without leave: Messrs. Ashton and Dakin.

On motion of Mr. Jones,

Leave of absence was granted to Mr. Ashton until Tuesday next.

On motion of Mr. Green,

Leave of absence was granted to himself until Tuesday.

On motion of Mr. Wood,

Leave of absence was granted to himself until Monday noon.

On motion of Mr. Bettinger,

Leave of absence was granted to himself until Tuesday next.

PRESENTATION OF PETITIONS.

No. 951. By Mr. Tindall: Petition of A. J. Crosby, C. N. Landen, and others, against the passage of Senate bill 141, for the protection of certain hired laborers;

Referred to the committee labor interests.

No. 952. By H. Watson: Petition of E. E. Smith, and numerous others, asking that the passenger fare on railroads in this State be reduced to two cents a mile;

Also,

No. 953. Petition of E. H. Jones and numerous others, same subject;

Referred to the committee on railroads.

No. 954. By Mr. T. H. Williams: Petition of Henry Moon, and numerous others, relative to the protection of the owners or keepers of stallions;

Referred to the committee on agriculture.

No. 955. By Mr. W. A. Baker: Petition of John F. Gard, L. L. McLin, and 160 others of Berrien county asking for the passage of House bill 236, relative to the construction and maintenance of certain bridges by counties;

No. 956. By Mr. Dillon: Petition of P. and B. Union asking for the passage of the Grenell bill, to preserve the purity of elections and to provide a secret ballot;

Referred to the committee on judiciary.

No. 957. By Mr. Ogg: Petition of K. of L. of Mancelona asking for the passage of the Ogg bill to prohibit the use of scrip or store orders in payment of wages.

Referred to the committee on labor interests.

No. 958. By Mr. Cross: Petition of K. of L. asking for the passage of the Raiden bill to repeal the Baker conspiracy law.

Referred to the committee on labor interests.

Also,

No. 959. Petition of K. of L. asking for the passage of the Ogg bill to abolish convict labor in State prisons.

Referred to the committee on State prisons.

Also,

No. 960. Petition of K. of L. asking for the passage of the Grenell bill to preserve the purity of elections and to provide a secret ballot.

No. 961. By Mr. Bentley: Petition of G. W. Nihart, Johnson Garman, Finley Campbell and others of Parkville for the enactment into a law the following bills:

The Breen bill to provide for mine inspectors;
The Breen bill forfeiting unearned land grants;
The Dillon bill to provide for the compulsory education of children;
The Grenell bill making election days legal holidays;
The Grenell bill to preserve the purity of elections;
The Grenell bill to prohibit the employment of aliens;
The Holbrook bill to protect workmen against the wrongful requirements of employers;
The Hosford bill that corporations shall hold no land more than 10 years;
The Rairden bill to repeal the Baker conspiracy law;
The Washburn bill to protect workmen against unsafe machinery;
The Ogg bill to prohibit the use of scrip in the payment of wages;
The Ogg bill to prohibit non-residents from holding land;
The Hosford bill to prevent corporations from carrying on the mercantile business.

REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 371 (file No. 268); entitled

A bill to regulate the trial of actions for damages arising from negligence,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 194 (file No. 73), entitled

A bill to amend section 15 of chapter 245 of the compiled laws of 1871, being compiler's section 9837 of Howell's annotated statutes of Michigan, relative to offenses against property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lakey,

The bill was laid upon the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 871 (file No. 256), entitled

A bill to amend section 7 of chapter 208 of the revised statutes of 1871, being compiler's section 6630, relative to proceedings by and against public bodies, having certain corporate powers, and by and against officers representing them, as amended by act No. 63 of the public acts of 1883, being section 8218 of Howell's annotated statutes,

Also,

House bill No. 96, (file No. 272), entitled

A bill to amend section 8218 of Howell's compilation, being section 6630 of the compiled laws of 1871, as amended by act No. 63, of the session laws of 1883, relative to proceedings by and against public bodies, having certain corporate powers, and by and against officers representing them,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 7 of chapter 208 of the revised statutes of the year 1871, being compiler's section 6630, relative to proceedings by and against public bodies having certain corporate powers, and by and against officers representing them, as amended by act No. 63 of the public acts of 1883, being section 8218 of Howell's annotated statutes,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

House bill No. 593, entitled

A bill relating to the trustees of school district No. 17, in the city of Jackson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to amend sections 1, 2, and 3 of act No. 312 of the local acts of 1883, entitled An act to regulate the manner of electing trustees in school district No. 17, of the city of Jackson, and township of Blackman, and to add six new sections thereto to stand as sections 10, 11, 12, 13, 14, and 15 of said act,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. W. WILLIAMS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. W. W. Williams,

The House concurred in the adoption of the substitute reported by committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on Agricultural College:

The committee on Agricultural College, to whom was referred

House bill No. 79, entitled

A bill making an appropriation for the State Agricultural College for the erection and repairs of buildings and other improvements at said college,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. J. WEBBER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee on ways and means.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 528, entitled

A bill making appropriations for the current expenses and for buildings, etc., for the Reform School for the years 1887 and 1888, and

Also,

House bill No. 529, entitled

A bill making an appropriation for the establishment of a department of technology at the Reform School,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill making appropriations for the current expenses and for buildings, etc., at the Reform School for the years 1887 and 1888,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 21, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 109 (file No. 111), entitled

A bill making an appropriation for the maintenance and support of the mining school at Houghton, Mich., for the year A. D. 1888,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on school of mines.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 21, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 541, entitled

A bill to authorize the city of East Saginaw to acquire by dedication, grant or otherwise, the right to use and maintain the city line ditch so called for the purpose of drainage.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 21, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 294 (file No. 253), entitled

A bill to detach certain territory from the township of Pine River in the county of Gratiot, and attach the same to the township of Arcadia, in said county.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 21, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 1 (file No. 110), entitled

A bill making an appropriation for the erection and equipment of a suitable building for the use of the mining school at Houghton in the

Upper Peninsula of Michigan, and for heating, lighting and furnishing the same.

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on school of mines.

THIRD READING OF BILLS.

House bill No. 92 (file No. 325), entitled

A bill to prevent the destruction of Fish in Klinger lake, White Pigeon township, Middle lake in Sherman and Sturgis townships and Thompson lake in Sherman township in the county of St. Joseph,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. Lakey,	Mr. Robinson, R.,
Allen,	Eldred,	Lincoln,	Rogers,
Anderson,	Engleman,	Makelim,	Rounsville,
Baker, S.,	Green,	Manly,	Rumsey,
Baldwin,	Grenell,	McCormick,	Simpson,
Bates,	Harper,	McGregor,	Spencer,
Beecher,	Haskin,	McKie,	Tindall,
Bettinger,	Hill,	McMillan,	Van Orthwick,
Bentley,	Hoaglin,	Mulvey,	Vickary,
Breen,	Holt,	Ogg,	Washburn,
Burr,	Hoobler,	O'Keefe,	Watson, H.,
Cannon,	Hosford,	Oviatt,	Watts,
Chamberlain,	Houk,	Pardee,	Webber,
Chapell,	Jones,	Pettit,	Williams, T. H.
Cross,	Kallander,	Reader,	Williams, W. W
Dillon,	Kelley,	Rentz,	Wood,
Douglass,	Kirby,	Robinson, J. W	Speaker, 68

NAYS.

0

Title agreed to.

On motion of Mr. Bently,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. McMillan moved to discharge the committee of the whole from the further consideration of

House bill No. 300 (file No. 321), entitled

A bill to authorize the highway commissioners of the townships of Walker and Alpine in the county of Kent, to receive contributions in money or labor, to be expended under their direction in grading, graveling, and improving a certain road in said county, and to declare the said road forever a free road,

Which motion prevailed.

On motion of Mr. McMillan,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. Makelim,	Mr. Rogers,
Allen,	Eldred,	Manly,	Rounsville,
Anderson,	Engleman,	McCormick,	Rumsey,
Baker, S.,	Goodrich,	McKie,	Simpson,
Baldwin,	Green,	McMillan,	Stuart,
Bates,	Harper,	Mulvey,	Thompson,
Bettinger,	Haskin,	Ogg,	Tindall,
Bentley,	Hill,	O'Keefe,	VanOrthwick,
Breen,	Hoaglin,	Oviatt,	Vickary,
Burr,	Hoobler,	Pardee,	Vroman,
Cannon,	Hosford,	Perkins,	Washburn,
Chamberlain,	Houk,	Pettit,	Watson, H.
Chapell,	Jones,	Preston,	Watts,
Chapman,	Kallander,	Reader,	Webber,
Crocker,	Kelley,	Rentz,	Williams, W. W.
Cross,	Kirby,	Robinson, J. W.	Wood,
Damon,	Lakey,	Robinson, R.	Speaker,
Dillon,			

68

NAYS.

0

Title agreed to.

On motion of Mr. McMillan,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 611 (file No. 322), entitled

A bill to amend section 4 of chapter 7 of section 227 of the session laws of 1885, being an act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Chapell,

The bill was laid on the table.

House bill No. 808 (file No. 346), entitled

A bill to authorize the township of Sherman, in the county of Iosco, to borrow money for the payment of the highway and other indebtedness of said township,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Hoobler moved to amend the bill by striking out in line 7, section 1, the word "taxpayers," and inserting the word "voters" in lieu thereof,

Also,

By inserting in line 2, section 6, before the word "Monday" the word "first,"

Also,

By striking out in same line the words "the sixth day of June" and inserting the words "of August" in lieu thereof.

Also,

By striking out in line 6, section 6, the word, "June," and inserting the word "August" in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Green,	Mr. Manly,	Mr. Rumsey,
Allen,	Grenell,	McCormick,	Simpson,
Anderson,	Harper,	McGregor,	Snow,
Bates,	Holt,	McKie,	Spencer,
Bettinger,	Hoobler,	Mulvey,	Thompson,
Bentley,	Hosford,	Ogg,	Tindall,
Breen,	Houk,	Oviatt,	VanOrthwick
Burr,	Jones,	Perkins,	Vickary,
Chapell,	Kelley,	Preston,	Washburn,
Crocker,	Kirby,	Reader,	Watson, H.,
Diekema,	Lakey,	Robinson, J. W.	Williams, T. H.
Dillon,	Lincoln,	Robinson, R.,	Williams, W. W.
Engleman,	Linton,	Rogers,	Speaker,
Goodrich,			53

NAYS.

Mr. Baldwin,	Mr. Eldred,	Mr. Pardee,	Mr. Stuart,
Cannon,	Haskin,	Pettit,	Watts,
Dunbar,	Hoaglin,	Rentz,	Webber,
			12

Title agreed to.

On motion of Mr. Hoobler,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 143 (file No. 145), entitled

A bill to amend section 4345 of the compiled laws of the year 1871, being section 5808 of Howell's annotated statutes relative to wills of real and personal estate,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Goodrich,	Mr. Manly,	Mr. Simpson,
Allen,	Green,	McGregor,	Snow,
Bates,	Grenell,	McKie,	Spencer,
Bettinger,	Harper,	Mulvey,	Stuart,
Breen,	Haskin,	Ogg,	Thompson,
Burr,	Hoaglin,	Oviatt,	Tindall,
Cannon,	Holt,	Pardee,	VanOrthwick,
Chamberlain,	Hoobler,	Perkins,	Vickary,
Chapell,	Hosford,	Pettit,	Vroman,
Crocker,	Houk,	Preston,	Washburn,
Cross,	Jones,	Reader,	Watson, H.,
Damon,	Kelley,	Rentz,	Watts,

Mr. Douglass, Dunbar, Eldred, Engleman,	Mr. Kirby, Lakey, Lincoln, Linton,	Mr. Robinson, J.W. Robinson, R., Rogers, Rumsey,	Mr. Webber, Wood, Speaker.	63
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NAYS.

0

Title agreed to.

Senate bill No. 111 (file No. 81), entitled

. A bill to amend section 1, of act No. 147 of the session laws of 1885, entitled "An act to provide for the introduction and use on all cars owned and operated by any railroad company, or other corporation doing business in this State, of some form of automatic car coupling, by means of which all cars may be coupled and uncoupled without the necessity of the brakemen, or any other person, passing between the cars,"

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Lakey moved to amend the bill by striking out in line 2, section 1, the words "eighty-seven," and inserting the words "eighty-six" in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Wood moved to amend the bill by striking out in lines 9 and 10, section 1, the words "the proviso therein."

On agreeing to which,

Mr. Wood demanded the yeas and nays.

The demand was seconded, and the motion to amend did not prevail, by yeas and nays as follows:

YEAS.

Mr. Beecher, Breen, Chamberlain, Cross, Dunbar,	Mr. Eldred, Grenell, Hoobler, Kelley, Lincoln,	Mr. Linton, Pettit, Rounsville, Snow, Stuart,	Mr. Vickary, Vroman, Washburn, Watts, Wood,	20
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NAYS.

Mr. Abbott, Allen, Anderson, Baker, S., Baldwin, Bates, Bentley, Burr, Cannon, Chapell, Crocker, Damon, Diekema,	Mr. Dillon, Douglass, Engelman, Harper, Haskin, Hill, Hoaglin, Holt, Hosford, Houk, Jones, Kallender, Kirby,	Mr. Lakey, Makelim, Manly, McCormick, McGregor, McKie, McMillan, O'Keefe, Pardee, Perkins, Preston, Rentz,	Mr. Robinson, J.W. Robinson, R., Rogers, Rumsey, Simpson, Spencer, Thompson, Tindall, VanOrthwick, Watson, H., Webber, Williams, T. H.	50
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Mr. Wood moved that the bill do lie upon the table.

Which motion did not prevail.

Mr. Ogg moved to amend the bill by striking out in line 11, sec. 1, the words "one" after the word "ninety,"

Pending which,

Mr. Damon demanded the previous question.

The demand was seconded.

The question being shall the main question be now put,

The same was ordered.

The motion to amend did not then prevail, two-thirds of all the members present not voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Douglass,	Mr. Kirby,	Mr. Rentz,
Allen,	Dunbar,	Lakey,	Robinson, J.W
Anderson,	Engleman,	Linton,	Robinson, R.,
Baker, S.,	Goodrich,	Makelim,	Rounsville,
Baldwin,	Green,	Manly,	Rumsey,
Bates,	Grenell,	McCormick,	Simpson,
Beecher,	Harper,	McGregor,	Spencer,
Bettinger,	Haskin,	McKie,	Thompson,
Bentley,	Hill,	McMillan,	Tindall,
Breen,	Hoaglin,	O'Keefe,	VanOrthwick,
Burr,	Holt,	Oviatt,	Vickary,
Cannon,	Hoobler,	Pardee,	Vroman,
Chamberlain,	Hosford,	Perkins,	Washburn,
Chappell,	Houk,	Pettit,	Watts,
Crocker,	Jones,	Pierce,	Webber,
Damon,	Kallendar	Preston,	Williams, W.W
Diekema,	Kelly,	Reader,	Speaker.,
Dillon,			69

NAYS.

Mr. Snow,	Mr. Wood,	2
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Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

On motion of Mr. Oviatt,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

THIRD READING OF BILLS.

Senate bill No. 177 (file No. 85), entitled

A bill to provide for the better protection of lives of passengers and employes on railroad trains,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Engleman,	Mr. Makelim,	Mr. Robinson, J. W.
Allen,	Goodrich,	Manly,	Robinson, R.,
Baker, S.,	Grenell,	McCormick,	Rumsey,
Bates,	Harper,	McGregor,	Simpson,
Bettinger,	Haskin,	McKie,	Snow,
Bentley,	Herrington,	Mulvey,	Spencer,
Breen,	Hill,	Ogg,	Stuart,
Burr,	Holt,	O'Keefe,	Thompson,
Cannon,	Hoobler,	Oviatt,	Tindall,
Chapell,	Hosford,	Pardee,	VanOrtheast,
Chapman,	Kallender,	Perkins,	Vroman,
Cross,	Kelley,	Pettit,	Washburn,
Damon,	Kirby,	Preston,	Speaker,
Dunbar,	Lakey,	Reader,	

55

NAYS

0

Title agreed to.

Senate bill No. 237 (file No. 132), entitled

A bill to amend section 1 of an act entitled "An act to provide wives with property and maintenance from their husband's estate, when neglected or deserted by them," approved April 24, 1873, being consecutive section 6291 of the general Statutes of Michigan in force, compiled and annotated by Andrew Howell, as amended by act number 149 of the public acts of the State of Michigan of 1885,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Engleman,	Mr. Makelim,	Mr. Robinson, J. W.
Allen,	Goodrich,	Manly,	Robinson, R.,
Baker, S.,	Grenell,	McCormick,	Rounsville,
Baldwin,	Harper,	McGregor,	Rumsey,
Bates,	Haskin,	McMillan,	Simpson,
Beecher,	Herrington,	Mulvey,	Spencer,
Breen,	Hill,	Ogg,	Thompson,
Burr,	Hoaglin,	O'Keefe,	Tindall,
Cannon,	Holt,	Oviatt,	VanOrtheast,
Chapell,	Hoobler,	Pardee,	Vickary,
Chapman,	Hosford,	Perkins,	Vroman,
Cross,	Houk,	Pettit,	Washburn,
Damon,	Kallender,	Pierce,	Watts,
Diekema,	Kelly,	Preston,	Webber,
Dillon,	Kirby,	Reader,	Speaker,
Dunbar,	Lakey,		

62

NAYS.

0

Title agreed to.

House bill No. 355 (file No. 342), entitled

A bill to protect children and prevent them from being educated in immorality and crime,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Goodrich,	Mr. Manly,	Mr. Robinson, J. W.
Allen,	Green,	McCormick,	Robinson, R.,
Baker, S.,	Grenell,	McGregor,	Rounsville
Baldwin,	Harper,	McKie,	Simpson,
Bates,	Haskin,	McMillan,	Spencer,
Bettinger,	Herrington,	Mulvey,	Stuart,
Bentley,	Hill,	Ogg,	Thompson,
Breen,	Hoaglin,	O'Keefe,	Tindall,
Burr,	Hoaglin,	Oviatt,	Van Orthwick,
Cannon,	Hosford,	Pardee,	Vickary,
Chapell,	Houk,	Perkins,	Vroman,
Chapman,	Kallander,	Pettit,	Washburn,
Cross,	Kelley,	Pierce,	Watts,
Damon,	Kirby,	Preston,	Webber,
Diekema,	Lakey,	Reader,	Williams, T. H.
Dunbar,	Makelim,	Rentz,	63

NAYS.

0

Title agreed to.

On motion of Mr. T. H. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 198 (file No. 332), entitled

A bill to legalize the action of the board of school inspectors of the township of Nottawa, in the county of Isabella, and to establish the boundaries of school district No. 2 in said township,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Burr moved to amend the bill by substituting the following therefor:

SECTION 1. *The People of the State of Michigan enact*, That the action of the board of school inspectors of the township of Nottawa, in the county of Isabella, in detaching the south half of section twenty-two and the south half of section twenty-one, in the township of Nottawa, in the county of Isabella, the same being town sixteen north, of range five west, from school district No. 4, of the township of Nottawa above described, and in adding and annexing the same to school district number two in said township, be and the same is hereby declared legal and valid in all respects. Said district number two shall becomprised of the following territory, to wit: sections thirty-three, thirty-four, twenty-seven, twenty-eight, the south half of section twenty-one and the south half of section twenty-two, the whole being in said township of Nottawa above described.

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Goodrich,	Mr. Manly,	Mr. Robinson, J. W.
Allen,	Grenell,	McCormick,	Robinson, R.,
Baker, S.,	Harper,	McGregor,	Roundsville,
Baldwin,	Haskin,	McKie,	Snow,
Bates,	Herrington,	McMillan,	Spencer,
Beecher,	Hill,	Mulvey,	Stuart,
Bentley,	Hoaglin,	Ogg,	Thompson,
Breen,	Hoobler,	O'Keefe,	Tindall,
Burr,	Hosford,	Oviatt,	Van Orthwick,
Cannon,	Houk,	Pardee,	Vickary,
Chapell,	Jones,	Perkins,	Vroman,
Chapman,	Kallander,	Pettit,	Washburn,
Cross,	Kelley,	Pierce,	Watts,
Damon,	Kirby,	Preston,	Webber,
Diekema,	Lakey,	Reader,	Williams, T. H.
Dillon,	Makelim,	Rentz,	Speaker,
Dunbar,			

65

NAYS.

0

The question being on agreeing to the title,
Mr. Burr moved to amend the title by striking out the words "and to establish," and inserting the words "in establishing" in lieu thereof.

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Burr,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 809 (file No. 331), entitled

A bill to amend section 16 of act number 173 of the session laws of 1855, being section 6829 of Howell's annotated statutes relative to justice courts,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Goodrich,	Mr. Manly,	Mr. Rounsville,
Allen,	Grenell,	McCormick,	Simpson,
Baker, S.,	Harper,	McGregor,	Snow,
Baldwin,	Haskin,	McKie,	Spencer,
Bates,	Herrington,	McMillan,	Stuart,
Beecher,	Hill,	Mulvey,	Thompson,
Bettinger,	Hoaglin,	Ogg,	Tindall,
Bentley,	Hoobler,	O'Keefe,	VanOrthwick,
Burr,	Hosford,	Oviatt,	Vickary,
Cannon,	Houk,	Pardee,	Vroman,
Chapell,	Jones,	Perkins,	Washburn,
Cross,	Kallander,	Pettit,	Watts,
Damon,	Kelley,	Preston,	Webber,
Diekema,	Kirby,	Rentz,	Williams, T. H.,
Dillon,	Lakey,	Robinson, J. W.	Williams, W. W.
Dunbar,	Lincoln,	Robinson, R.,	Speaker,

64

NAYS.

0

Title agreed to.

House bill No. 429 (file No. 330), entitled

A bill to detach certain territory from graded school district No. 4 of Evergreen, Sidney, Bushnell and Fairplains, and from primary school districts Nos. 1 and 5 of Sidney, and from fractional district No. 6 of the townships of Evergreen and Sidney, in the county of Montcalm, and erect the same into a primary school district, and to provide for election of officers for said district,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Engleman,	Mr. Makelim,	Mr. Robinson, J. W.
Allen,	Goodrich,	Manly,	Robinson, R.,
Baker, S.	Grenell,	McCormick,	Rounsville,
Baldwin,	Harper,	McGregor,	Rumsey,
Bates,	Haskin,	McKie,	Simpson,
Beecher,	Herrington,	McMillan,	Snow,
Bettinger,	Hill,	Mulvey,	Spencer,
Bentley,	Hoaglin,	Ogg,	Stuart,
Breen,	Hoobler,	O'Keefe,	Thompson,
Burr,	Hosford,	Oviatt,	Tindall,
Cannon,	Houk,	Pardee,	VanOrthwick,
Chapell,	Jones,	Perkins,	Vickary,
Crocker,	Kallender,	Pettit,	Vroman,
Cross,	Kelley,	Pierce,	Washburn,
Damon,	Kirby,	Preston,	Watts,
Diekema,	Lakey,	Reader,	Williams, W. W
Dillon,	Lincoln,	Rentz,	Speaker,
Dunbar,			

69

NAYS.

0

Title agreed to.

On motion of Mr. J. W. Robinson,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 216 (file No. 329), entitled

A bill to authorize the trustees, vestrymen, consistory, or other governing body of any religious society incorporated under the laws of this State, to receive money by gift or bequest when the same is to be invested and the income thereof applied in payment or part payment of the salary of their minister, priest, rector, parson, or clergyman,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dunbar,	Mr. Makelim,	Mr. Rounsville,
Baker, S.,	Engleman,	Manly,	Rumsey,
Baldwin,	Goodrich,	McCormick,	Simpson,
Bates,	Grenell,	McGregor,	Snow,
Beecher,	Harper,	McKie,	Spencer,
Bettinger,	Haskin,	McMillan,	Stuart,

Mr. Bentley,	Mr. Hill,	Mr. Mulvey,	Mr. Thompson,
Breen,	Hoaglin,	Ogg,	Tindall,
Burr,	Holt,	Oviatt,	Van Orthwick,
Cannon,	Hoobler,	Perkins,	Vickary,
Chapell,	Houk,	Pettit,	Vroman,
Crocker,	Jones,	Pierce,	Washburn,
Cross,	Kallander,	Preston,	Webber,
Damon,	Kelley,	Reader,	Williams, T. H.
Diekema,	Kirby,	Rentz,	Williams, W. W.
Dillon,	Lakey,	Robinson, J. W.	Speaker, 61

NAYS.

Mr. Robinson, R.,

1

Title agreed to.

On motion of Mr. W. W. Williams,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 411 (file No. 328), entitled

A bill to prohibit the employment of children under 16 years of age and of females under eighteen years of age for more than 9 hours a day,

Was read a third time and pending the taking of the vote on the passage thereof,

Mr. Jones moved to amend the bill by striking out in line 2, section 1, the words "sixteen" and "eighteen" and inserting the words "fourteen" and "sixteen" in lieu thereof respectively,

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Goodrich,	Mr. Manly,	Mr. Rounsiville,
Allen,	Grenell,	McCormick,	Rumsey,
Baldwin,	Harper,	McKie,	Simpson,
Bates,	Haskin,	McMillan,	Stuart,
Bettinger,	Herrington,	Mulvey,	Thompson,
Bentley,	Hill,	Ogg,	Tindall,
Breen,	Holt,	O'Keefe,	VanOrthwick,
Burr,	Hoobler,	Oviatt,	Vickary,
Crocker,	Hosford,	Pardee,	Vroman,
Cross,	Houk,	Reader,	Washburn,
Damon,	Jones,	Rentz,	Williams, T. H.
Dillon,	Kallander,	Robinson, J. W.	Williams, W. W.
Engleman,	Makelim,	Robinson, R.,	Speaker, 52

NAYS.

Mr. Cannon,
Dunbar,Mr. Preston,
Snow,

Mr. Spencer,

Watts,

6

The question being on agreeing to the title,

Mr. Jones moved to amend the title by striking out the words "sixteen," and "eighteen," and inserting the words "fourteen" and "sixteen," in lieu thereof respectively,

Which motion prevailed.

The title as amended was then agreed to.

House bill No. 670 (file No. 324), entitled

A bill to prohibit the destruction of fish in Hogsett Lake in the township of Portage, and Gourdneck Lake in the township of Portage and Schoolcraft, in Kalamazoo county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Lakey,	Mr. Robinson, J.W.
Allen,	Dunbar,	Makelim,	Robinson, R.,
Anderson,	Engleman,	Manly,	Rumsey,
Baker, S.,	Grenell,	McCormick,	Simpson,
Baldwin,	Harper,	McGregor,	Spencer,
Bates,	Haskin,	McKie,	Stuart,
Beecher,	Hill,	McMillan,	Tindall,
Bettinger,	Hoaglin,	Mulvey,	VanOrthwick,
Bentley,	Holt,	Ogg,	Vickary,
Breen,	Hoobler,	O'Keefe,	Vroman,
Burr,	Hosford,	Oviatt,	Washburn,
Cannon,	Houk,	Pardee,	Watts,
Chapell,	Jones,	Pettit,	Webber,
Crocker,	Kallander,	Preston,	Williams, W. W.
Cross,	Kelley,	Reader,	Speaker,
Damon,	Kirby,	Rentz,	63

NAYS.

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Title agreed to.

On motion of Mr. Lakey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 22 (file No. 25), entitled

A bill to require security to be given on staying proceeding upon verdicts, and judgments in the circuit courts of this State,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Manly moved to amend the bill by striking out in line 2, section 2, the words "may," after the word "court," and inserting the word "shall," in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Harper,	Mr. Manly,	Mr. Robinson, J.W.
Allen,	Haskin,	McCormick,	Robinson R.,
Anderson,	Hill,	McGregor,	Rumsey,
Baker S.,	Hoaglin,	McMillan,	Simpson,
Baldwin,	Holt,	Mulvey,	Spencer,
Beecher,	Hoobler,	Ogg,	Stuart,
Breen,	Hosford,	O'Keefe,	Tindall,

Mr. Burr, Cannon, Cross, Dunbar, Engleman, Grenell,	Mr. Houk, Kelly, Kirby, Lakey, Lincoln, Makelim,	Mr. Oviatt, Pardee, Pettit, Preston, Reader, Rentz,	Mr. VanOrthwick, Vickary, Watson, H. Webber, Speaker,	51
NAYS.				0

Title agreed to.

Senate bill No. 163 (file No. 112), entitled

A bill to amend section 23 of chapter 225 of the compiled laws of 1871, entitled "Informations in the nature of a *quo warranto*, and in certain other cases," being compiler's section No. 8657 of Howell's annotated statutes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott, Allen, Anderson, Baker, S., Baldwin, Bates, Beecher, Breen, Burr, Cannon, Chapell, Crocker, Cross, Damon,	Mr. Dillon, Dunbar, Grenell, Harper, Haskin, Hill, Hoaglin, Holt, Hoobler, Hosford, Kelley, Kirby, Lakey,	Mr. Makelim, Manly, McCormick, McGregor, McMillan, Mulvey, Ogg, O'Keefe, Pardee, Perkins, Pettit, Reader, Rentz,	Mr. Robinson, J. W. Robinson, R., Rounsville, Rumsey, Simpson, Spencer, Stuart, Tindall, Van Orthwick, Vroman, Watson, H., Webber, Speaker,	53
NAYS				0

Title agreed to.

Senate bill No. 102 (file No. 123), entitled

A bill to make all debts for labor preferred claims against the estates of debtors becoming insolvent, and give the same precedence over all debts not a lien on such estates prior to the performance of such labor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott, Allen, Anderson, Bates, Beecher, Breen, Burr, Cannon, Crocker, Cross, Damon,	Mr. Haskin, Hill, Hoaglin, Holt, Hoobler, Hosford, Houk, Jones, Kelley, Kirby, Lakey,	Mr. Manly, McCormick, McGregor, McKie, McMillan, Mulvey, Ogg, O'Keefe, Oviatt, Pardee, Perkins.	Mr. Reader, Robinson, J. W. Robinson, R. Rounsville, Rumsey, Simpson, Spencer, Tindall, VanOrthwick, Watson, H., Watts,
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Mr. Dunbar,
Grenell,
Harper,

Mr. Lincoln,
Makelim,

Mr. Pettit,
Preston,

Mr. Webber,
Speaker,

53

NAYS.

0

Title agreed to.

MOTIONS AND RESOLUTIONS.

Mr. Goodrich offered the following:

Resolved, That two members be added to the committee appointed to investigate the charges exhibited against Milo H. Dakin, a member of this House,

Which was adopted.

Mr. Ogg moved to discharge the committee of the whole from the further consideration of

House bill No. 326 (file No. 425), entitled

A bill to provide for the employment of convicts in the prisons of Michigan that are under State control, to establish their hours of labor, and to make an appropriation for the employment of convicts, and to repeal all acts in contravention to this act,

Which motion prevailed.

On motion of Mr. Ogg,

The bill was then referred to the committee on ways and means.

On motion of Mr. McGregor,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Hoobler,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Harper,

Leave of absence was granted to himself until Tuesday next.

GENERAL ORDER.

On motion of Mr. Oviatt,

The House went into committee of the whole on the general order,

Whereupon the Speaker called Mr. Hoobler to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following bills:

1. House bill No. 520 (file No. 231), entitled

A bill to authorize the purchase of a tract of land adjacent to the State House of Correction and Reformatory at Ionia, and to make an appropriation therefor,

2. House bill No. 335 (file No. 335), entitled

A bill to amend act No. 45 of the session laws of 1882, entitled an act authorizing the common council of the city of Detroit, with the concurrence of the city council thereof, to make a re-assessment to defray the expense of a public improvement on Jefferson avenue, a street in said city from the east curb line of Beaubien street to the railroad bridge in said city,

3. House bill No. 620 (file No. 337), entitled

A bill to amend sec. 15 of act No. 172 of the session laws of 1885, entitled "An act to amend sections 10 and 12 of chapter 268 of the compiled laws of 1871, being compiler's sections 8135 and 8137, as amended by act No. 84, public

acts of 1877, relative to the Reform School, being sections 9817 and 9819 of Howell's annotated statutes of 1882, and to add a new section to stand as section 15.

4. House bill No. 453 (file No. 340), entitled

A bill to provide for the payment of damages by corporations for the loss of life by the carelessness or neglect of corporations or their employees.

5. House bill No. 417 (file No. 303), entitled

A bill to authorize and empower the board of control of State swamp lands to construct a ditch through the townships of Hebron and Mackinaw, in Cheboygan county,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

6. Senate bill No. 320 (file No. 156), entitled

A bill to create a fund for and to provide for the payment of certain damages for sheep and lambs killed or wounded by dogs within the city of Jackson and the townships of Summit and Blackman, in the county of Jackson, State of Michigan,

7. House bill No. 463, (file No. 336), entitled

A bill to amend sections No. 26, 31 and 41 of an act entitled "An act to provide for holding general and special elections," being compiler's sections No. 162, 167, and 177 of Howell's annotated statutes,

8. House bill No. 749 (File No. 304), entitled

A bill to authorize Edwin A. Bullard to build and maintain a dam across Cass river.

9. House bill No. 358 (file No. 297), entitled

A bill to prohibit the use of scrip or store orders in the payment of wages of laborers in mines, mills, shops and factories.

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

10. House bill No. 236 (file No. 167), entitled

A bill to create the office of county bridge commissioner and provide for their election; also to make the building of all important bridges a county matter and provide for their construction and repair.

11. House bill No. 622, (file No. 260), entitled

A bill to authorize the Board of State Auditors to adjust and allow claims for losses that any person, firm or corporation may suffer by reason of the making of any law, or by any change in the Constitution whereby any trade, business, or occupation heretofore lawfully carried on within the State was, or shall be made unlawful, and is prohibited, and making provisions for the payment of said claims.

And have directed their chairman to report the same back to the House with the recommendation that they be laid on the table.

The committee of the whole have also had under consideration the following bill:

12. House bill No. 699 (file No. 245), entitled

A bill to authorize the drain commissioner of the township of Riverton to re-assess the drain tax on the series or system of drains designated as the

Woodman drain, Saint Mary's Lake drain, Ox Bow Lake drain, State Road drain, and Bickford Lake drain,

And have directed their chairman to report the same back to the House with the recommendation that it be re-referred to the committee on drainage.

The committee of the whole have also had under consideration the following bill:

13. House bill No. 172 (file No. 307), entitled

A bill to prevent certain individuals, companies or associations from using the word "bank" upon signs or other printed matter, and to provide penalties therefor,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

S. R. HOOBLER, *Chairman*.

Report accepted and committee discharged.

The first, second, third, fourth and fifth named bills were placed on the order of third reading.

On motion of Mr. Watts,

The House concurred in the amendments made by the committee to the sixth, seventh, eighth and ninth named bills, and they were placed on the order of third reading of bills.

On motion of Mr. Spencer,

The House concurred in the recommendation of the committee relative to the tenth and eleventh named bills, and they were laid on the table.

On motion of Mr. McMillan,

The House concurred in the recommendation of the committee relative to the twelfth named bill, and it was referred to the committee on drainage.

The question being on concurring in the action of the committee in striking out all after the enacting clause of the thirteenth named bill,

Mr. Hosford demanded the yeas and nays.

The demand was seconded, and the House concurred in the action of the committee by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Makelim,	Mr. Rumsey,
Allen,	Dunbar,	Manly,	Simpson,
Anderson,	Haskin,	McGregor,	Snow,
Bentley,	Hill,	McKie,	Spencer,
Breen,	Hoaglin,	Perkins,	Stuart,
Cannon,	Houk,	Pettit,	Thompson,
Chamberlain,	Jones,	Pierce,	Van Orthwick,
Chapell,	Kelley,	Preston,	Watson, H.,
Chapman,	Lakey,	Reader,	Webber,
Crocker,	Linton,	Robinson, J. W.	39

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Mr. Bates,	Mr. Dillon,	Mr. Kallander,	Mr. Vroman,
Bettinger,	Grenell,	Rentz,	Watts,
Burr,	Hosford,	Robinson, R.	Williams, T. H.
			12

And the title and enacting clause were laid on the table.

Mr. Webber moved that

House bill No. 520 (file No. 231), entitled

A bill to authorize the purchase of a tract of land adjacent to the State House of Correction and Reformatory at Ionia, and to make an appropriation therefor,

Be taken from the order of third reading, and that it do lie on the table.

Which notion prevailed.

The speaker announced as the additional members of the committee on the charges against Representative Dakin, as provided by the resolution adopted this afternoon, Messrs. Diekema and Herrington.

Both of the gentlemen so appointed then rose in their places and respectfully requested to be excused from service on such committee, and urged specific reasons therefor.

The Speaker announced that he would take the matter of such excuses under advisement until to-morrow.

On motion of Mr. Abbott,

The House adjourned.

Lansing, Wednesday, April 23, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Roll called: quorum present.

Absent without leave: Messrs. Bates, Beecher, Case, Harper, Kallander, Snow and Washburn.

On motion of Mr. McCormick,

Leave of absence was granted to Mr. Bates for the day.

On motion of Mr. Mulvey,

Leave of absence was granted to Mr. Beecher for the day.

On motion of Mr. Haskin,

Leave of absence was granted to all absentees for the day.

On motion of Mr. McMillan,

Leave of absence was granted to Mr. Kallander indefinitely.

On motion of Mr. Tindall,

Leave of absence was granted to himself until April 2.

On motion of Mr. Holt,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. H. Watson,

Leave of absence was granted to himself until Tuesday next.

Mr. Engleman offered the following:

Resolved, That no leave of absence be granted to any member of this House for Tuesday next, the 26th day of April, nor for any day on which the charges against Representative Dakin will be under consideration, except in case of death or serious sickness in the family of the member asking for leave of absence,

Which was adopted.

The Speaker announced that he would defer to the House in the matter of

excusing Messrs. Dickema and Herrington from service on the special committee on the investigation of charges against Representatives, to which they were yesterday appointed.

The question then being taken on granting the excuses,

The same were granted by vote of the House.

PRESENTATION OF PETITIONS.

No. 962. By Mr. Thompson: Petition of John F. Oliver, C. C. Royce and 29 other residents of Delta county, asking for the passage of the bill making an appropriation for the mining school.

Referred to the committee on mines and minerals.

No. 963. By Mr. Roundsville: Petition of Geo. L. Fisher and numerous others asking that railroad fare be reduced to two cents per mile.

On demand of Mr. Roundsville,

The petition was read at length and spread at large on the journal as follows:

Livingston County, Mich., 1887.

To the Honorable the Senators and Representatives of the Legislature of the State of Michigan now assembled:

We, the undersigned citizens and electors of the county of Livingston, do most earnestly petition our Senators and Representatives to use all honorable means to aid in the passage of a bill now pending to reduce passenger fare on the railroads of this State to a maximum rate of two cents per mile.

As the history of such legislation in other States has already proved to be a blessing to the people as well as the railroads, and we firmly believe that such will be the result in this State should the reduced rate be adopted.

Referred to the committee on railroads.

No. 964. By Mr. Dunbar: Petition of officers of the Farmers' Mutual Fire Insurance Co. of Monroe and Wayne counties, for the passage of House file No. 147.

On demand of Mr. Dunbar,

The petition was read at length, and spread at large upon the journal, as follows:

To the Honorable the Senate and House of Representatives of the State of Michigan assembled, Lansing, Michigan:

WHEREAS, There is now pending before the Legislature of the State of Michigan a bill which we regard as important, and in accordance with right, House file No. 147, entitled "A bill to amend section 2 of act number 108 of the session laws of 1871, as amended, being compiler's section 4207 of Howell's annotated statutes, relative to the Insurance Bureau;" and

WHEREAS, We believe the passage of the bill would promote the efficiency of the Insurance Department in future relative to the term of office of the Commissioner, and would place the employes of the Insurance Bureau on the same basis as those of other appointive offices; and

WHEREAS, The revenue derived by the State, and collected by the Commissioner of Insurance amounts to over one hundred thousand dollars per annum, the expense of said department being less than seven thousand dollars per annum, on the average, and the amendment only calls for an increase of five hundred dollars to the expense of said bureau,

Therefore, We, the undersigned citizens of Michigan, are desirous to signify

our approval of the bill, and respectfully urge its adoption as an act of justice to the insurance bureau.

Your petitioners would therefore respectfully pray that the same may be passed.

Plymouth, Mich., April 19, A. D. 1887.

O. R. Pattengell, *Secretary F. M. Ins. Co. of Monroe and Wayne Counties.*

A. J. Keeney, *President Monroe and Wayne Counties.*

E. W. Hilton, *Director Monroe and Wayne Counties.*

M. J. Howe, *Director Monroe and Wayne Counties.*

N. H. Carpenter, *Director Monroe and Wayne Counties.*

Referred to the committee on ways and means.

No. 965. By Mr. Kallender: Petition of Capt. Wm. E. Parnell, agent of National Mining Co., and 66 other residents and taxpayers of Ontonagon county, asking for the passage of the bill making an appropriation for the mining school.

Also,

No. 966. Petition of Charles H. Palmer and 40 others of Keeweenaw county, same subject.

Also,

No. 967. Petition of Wm. B. Wright and 68 others of the same county, same subject.

Also,

No. 968. Petition of E. E. Halsey and 46 others of Baraga county, same subject.

Also,

No. 969. Petition of John Campbell and seventy others of the same county, same subject.

No. 790. Petition of Thomas Hooper and 38 others, same subject.

Also,

No. 971. P. A. Amon and 48 others, same subject.

Also,

No. 972. Petition of Thomas Edwards and 105 others, same subject.

Also,

No. 973. Petition of Alfred Meads and 16 others, same subject.

Also,

No. 974. Petition of Captain H. Letcher and 41 others, same subject.

Also,

No. 995. Petition of James H. Alward and 59 others, same subject.

Also,

No. 996. Petition of Wm. Gray and 976 others, same subject.

Also,

No. 977. Petition of T. Hooper and 186 others, same subject.

Also,

No. 978. Petition of John Clynoweth and 13 others, same subject.

Also,

No. 979. Petition of Wm. H. Moyle, Capt. Wm. Jacka and 37 others, same subject.

Also,

No. 980. Petition of James Dunston and 180 others of Keeweenaw county, same subject.

Referred to the committee on ways and means.

No. 981. By Mr. Kirby: Petition of George E. Curtiss and numerous others, asking for the passage of House file No. 147, relative to insurance bureaus.

Referred to the committee on ways and means.

No. 982. By Mr. T. H. Williams: Petition of Chas. Lake and numerous others relative to the garnishee law.

Referred to the committee on judiciary.

No. 983. By Mr. Grenell: Petition of K. of L. 6182 of Detroit, for the passage of the various labor bills.

Also,

No. 984: Petition of 901 K. of L. of Muskegon, for the passage of the various labor bills.

Referred to the committee on labor interests.

No. 985. By H. Watson: Petition of D. D. Norton and numerous others, asking that the passenger fare on railroads in this State be reduced to two cents a mile.

Also,

No. 986. Petition of H. Hill and numerous others, same subject.

Referred to the committee on railroads.

REPORT OF SELECT COMMITTEE ON INSURANCE.

To the Honorable the Senate and House of Representatives of the State of Michigan:

Your committee, appointed under a resolution of the House and Senate March 18, 1887, as follows, viz.:

WHEREAS, The report of the Secretary of State and Commissioner of Insurance in response to a resolution of the House of Representatives dated February 18, ult., shows that one hundred and eighty-one corporations have been organized within this State since March 25, 1870, for the purpose of insuring the lives of individuals upon the assessment plan against contingencies of death, accident, and disease, and

WHEREAS, It further appears by said report that fifty-five only of such corporations have at any time received licenses from the Insurance Bureau to transact the business of life and accident insurance within this State, and

WHEREAS, It has been ascertained that twenty-five only of such corporations have during present year filed with the Insurance Department their annual statement as required by law,

AND WHEREAS, It is believed that much evil and great loss have been brought upon people of this State by reason of the failure of such corporations and it is believed that grave frauds and crimes have been committed by corporations organized under the provisions of chapter No. 94 of the compiled laws of 1871, and by individuals connected therewith,

AND WHEREAS, It is claimed that existing statutes are wholly inadequate for the detection and suppression of such frauds and crime; therefore

Resolved, By the House of Representatives, the Senate concurring, that a special committee consisting of three members from the House and two from the Senate be appointed, to be known as a committee of investigation, with power to send for persons and papers, to subpoena and compel attendance of witnesses, to administer oaths and to employ a stenographer. Such committee may in their discretion visit the offices of any or all corporations organized under the provisions of chapter 94 of the compiled laws of 1871, and acts supplemental and amendatory thereto, now doing business within this

State, and shall have access to all books, files, records, and papers relating in any way to the business of such corporations, and make a report of their doings to the Senate and House of Representatives, with their recommendations on or before May 15, 1897.

Resolved further, That the provisions of the foregoing resolutions shall apply to all life insurance companies doing business in this State.

Respectfully report that the organization of the committee was completed on March 22 by the election of Hon. J. S. Cross, chairman, and Hon. F. A. Douglass, secretary. That the committee employed the services of A. M. Haynes, of Bay City, as stenographer, and P. Q. Stoner, sergeant-at-arms of the Senate, as its executive officer. The committee have also had the valuable assistance of Mr. F. W. Phillips in the preparation of the statistical tables contained in this report.

Your committee realize in the highest degree the responsibility of the labors which have by your action been imposed upon them, and regret that more technical skill is not possessed by its members, and that the field has seemed too large to be fully covered in the limited time to be taken from legislative duties.

The question of life insurance is an absorbing topic to many of our people; it appeals to the best and noblest sentiments of mankind, and in its various forms has obtained a place in the political economical system of every nation. We shall only attempt, in the space allotted to our report, to give the barest outline of the various plans, and to discuss the principles underlying the system. In treating the question we shall, as far as possible, avoid the use of technical terms, and endeavor to give only the bare facts in the most simple form, with such deductions as may appear to be in the line of sound public policy and good morals.

In performing this labor we do not expect to escape adverse criticism, but we shall be content if our labors may result in some slight degree in clearing away some of the cobwebs which have been woven around the subject, and in giving to the people, whose servants we are, a clearer appreciation of the dignity and high importance of life insurance, and presenting to our colleagues the necessity of advanced legislation in dealing with this important factor in our social system.

WHAT IS LIFE INSURANCE?

Life insurance has been defined to be, "protection against financial loss by death." The productive value of life, and the actual certainty of death, are the constant factors in the problem. The individual insures to those dependent upon him a part of the productive value of his life, against the contingency of his death during his active business career, or against the failure of his plans to acquire a competency to support them during his declining years. The leading motive is precisely the same that leads him to insure his store or dwelling against the contingency of loss by fire. Protection to the dependent is the mainspring of his action in both cases, and must be in all if the true theory of life insurance is maintained.

The vast importance of the subject with which we have to deal may be shown in the statistical tables published by the various State departments. We find that the level premium companies reporting to the New York department have during the past twenty-six years issued 3,543,572 policies, insuring \$7,808,124,079; that they have received in premiums for insurance and interest on investments, \$1,900,794,599; that they have paid out to their policy holders, and for taxes, commissions and other expenses, \$1,356,578,-

780, and that they have aggregate assets of \$523,664,678 for the insurance of 819,691 policies, amounting to \$2,023,517,488. In addition to the above we find that 430 assessment companies report January 1, 1885, a membership of 1,655,975, with insurance in force of \$3,785,163,363, making a grand total of 2,470,666 policies in force, insuring the enormous aggregate of \$5,808,-680,851. If, as we believe, this vast fabric rests for its security upon the confidence of the public and the stability of its laws, legislation upon this subject cannot be too highly estimated, and should not be lightly weighed.

TABLES OF MORTALITY.

The science of life insurance rests upon the law of average as applied to human life. The tables of mortality have been constructed as the result of observations, extending over various countries and long periods of time, by noting the number of deaths at all ages in a given country, State or province.

The English table was constructed from the experience of seventeen English life insurance companies on the basis of 83,905 lives insured in those companies, and was first published in 1843. The American table was prepared by Sheppard Homans, a distinguished actuary of New York, on the basis of the experience of American life insurance companies, and it is now a part of the statutes of nearly every State. From these tables, which give in detail the number of deaths per one thousand, and the average duration of human life at all ages, it is possible to determine in advance the probable cost of an insurance upon the life of healthful individuals at any age and for any sum. It is not material whether a company proposes to conduct its business upon the assessment or upon the level premium plan, it is compelled from the very nature of the case to graduate its assessments or its premium rates to conform to the average expectation of life as determined from the tables, or failure to meet its obligations, loss of confidence by its members, and ultimate and final dissolution will follow.

THE PLANS OF LIFE INSURANCE.

There are three general plans or systems under which the business of life insurance is conducted in this country, known as

1. The level premium plan.
2. The natural premium plan.
3. The assessment plan.

The advocates of each plan occupy a separate and distinct field of action. Each plan is founded upon the American experience table of mortality. Each seeks to and does accomplish the same results, differing in method only. Each is equally worthy of the confidence and esteem of the insuring public, and there is not necessarily more antagonism between companies organized upon the different plans than between rival companies of the same classification.

The distinguishing features of the level premium, or "old line" plan as it is sometimes called, are that it requires the payment in advance of a fixed annual premium, from which is taken and laid aside a certain portion as a reserve. This reserve, with annual additions, is invested in interest bearing securities, and accumulates at compound interest until the policy becomes a claim, when it is used to reimburse the company for the payment of the loss. The reserve is charged to the company as a liability, and must at all times be kept up to the full amount required by law.

The amount of the annual premium upon this plan remains the same for life or for the term of years for which the policy is written. At the end of

each year, after deducting the reserve and expenses, the balance of the premium is credited back to the assured as a dividend. This dividend may remain with the company to be applied on future premiums, or it may be drawn out by the assured in cash. Policies issued upon this plan may be exchanged for paid up policies for proportionate amounts, or the company may pay back in cash a portion of the accumulated reserve, if desired, at any time after three years from date of issue.

While it may be said that the level premium plan is scientifically accurate, and the best results as to safety and perpetuity are almost certain to be realized, yet it is nevertheless true that several of the larger of these companies went down like reeds before the wind during the speculative era and financial depression which succeeded the war. But one Michigan company is doing business upon this plan, The Michigan Mutual Life Insurance Company, of Detroit.

THE NATURAL PREMIUM PLAN.

This plan is sometimes called the Renewable Term Plan, and has some features similar to the Level Premium Companies. It requires payment in advance of an annual premium, for a fixed amount, determined from the mortality tables. This premium consists of the expense fund and reserve, which is the same as charged by the Level Premium Companies. Instead, however, of retaining the reserve and accumulating it with compound interest for the payment of future losses, as with the level premium companies, it is used to pay current losses, and in theory the full reserve is exhausted at the end of the year, and the assured is required, in order to renew his policy at the beginning of the succeeding year, to pay a higher premium, rendered necessary by the higher reserve charged upon his advanced age. The premiums charged upon this plan are very much less in the outset than those charged by the level premium companies, but increase with each succeeding year. The companies guarantee the payment of the sum named in its policies at death, and if a balance remains in the treasury at the close of a year, it is carried to the surplus fund, and used to pay extraordinary losses or to reduce the future premiums of its members.

This plan has the advantage of being mathematically correct in principle, and in allowing the individual to pay for his life insurance in the same manner as for his fire insurance, viz.: in yearly payments, graded in proportion to the increasing hazard of his risk. But one Michigan company is now doing business upon this plan, the Imperial Life Insurance Company of Detroit.

THE ASSESSMENT PLAN.

The assessment plan of insurance had its origin among the fraternal societies of England. They were long known as burial societies, and while not assuming to deal in life insurance, afforded substantial benefits to their sick, and to the widows and orphans of deceased members. Their membership was usually limited to the members of one profession, trade or occupation; the members contributed equally to the dues of the organization without regard to age or condition of health. From this humble beginning has sprung the system of assessment insurance which has had such a marvelous growth in this country. January 1, 1886, it is estimated that nearly two millions of people were insured in the United States upon the assessment plan to the amount of over four billion dollars.

As this vast system rests almost entirely upon the confidence of the public for its safety and perpetuity, and as it is believed by your committee that

more stringent legislation is needed to regulate and control the operations of companies organized upon this plan, we will be more specific in treating upon this branch of our subject.

THE THEORY OF ASSESSMENT INSURANCE

Is that of co-operation, whereby each member agrees to contribute to the general fund a sum equal to his proportion of the death losses and actual expenses of conducting the business; that these contributions are made only on the basis of death losses which have occurred in the society, and after the death of the insured member; that no reserve or other provision is made for the payment of future losses, in other words, upon the basis of the actual present cost of his insurance. The practice, however, of the more progressive companies is based upon the American Experience table of Mortality, whereby they are enabled to determine the probable number of death losses to be sustained, and to regulate the amount of the assessment to each individual, proportioned to his age, and the frequency of the assessments necessary to provide for these claims as they occur. Some companies make their assessments periodically in advance to provide for the payment of losses intervening between the assessment periods; others to provide only for those occurring during the previous assessment periods. In some cases assessments are made monthly, bi-monthly or quarterly at stated periods, but as often as circumstances or emergencies may require. Some companies make a practice of paying their certificates or policies in full, others of dividing the amounts received from one assessment proportionately among the beneficiaries of each assessment period.

THE TWO CLASSES OF ASSESSMENT POLICIES.

Assessment insurance companies are properly to be divided in to two classes: 1st, secret, fraternal and benevolent societies; 2d, companies organized by individuals for the purpose of profit to their projectors. Examples of the first class are found in the Ancient Order of United Workmen, The Knights of Honor, and the Royal Arcanum. These are perfect little republics, with supreme heads, and subordinate associations, incorporated in some cases, under special statutes, yet governed substantially by laws of their own framing, conducted by men of reputation and responsibility, upon business principles, combining as they do the fraternal feature, with more checks and safeguards than it would be possible to throw around a private enterprise. It would seem as if the acme of safety and permanency had been secured to institutions of this class. Although these societies are fraternal in their nature, the chief object of their existence is, that of supplying to their members life insurance upon the assessment plan, and for the purpose of this discussion, we will treat them as assessment insurance companies, although these societies are not in any degree, so far as we are informed, the subject of pending legislation.

The assessments for death losses in this class of companies are usually made at the supreme office and collected from the members through the machinery of the local or subordinate lodges; but few salaried officers are required, and the expenses of the societies are reduced to a minimum. The expense of maintaining the local organization is compensated by the social and fraternal benefits derived from association. But the chief value of these associations, from the standpoint of insurance, is in the cohesion of this membership by reason of the fraternal relation, which enables them to successfully resist the

tendency to disintegration under the shock of an excessive, although perhaps only temporary, increase in the mortality ratio. The fraternal relation, in other words, supplies to some extent the vitality afforded by the reserve or emergency funds retained by most companies of the other class.

The second class of companies to which we have alluded, those organized for the purpose of pecuniary profit, comprise by far the largest in number of companies doing business upon the assessment plan. The variety of details among companies of this class are almost as numerous as are the companies themselves. Some of the better class of these companies provide for excessive losses and the advancing average age of its membership, by the creation of a limited reserve or emergency fund; some depend almost wholly upon supplying this valuable quality by the infusion of fresh blood, in the accretion of new members below the average age. Some of them fulfil their contracts with their members to the letter, and are managed in substantial harmony with the law of average as laid down in the mortality tables; others are purely speculative in their character, and in some cases simply gambling hells, in which human lives are the dice used in the atrocious game. Of the latter class are what is popularly known as "Graveyard" companies.

The mortality of insurance companies doing business upon the assessment plan has been greater than of any organized business. Since 1869 our own State has been the field of operation of over 150 companies, which have forfeited their corporate existence. It is estimated that over 1,000 companies upon this plan have expired during the last two decades, and who can name the millions of dollars expended in this vain endeavor to erect a system of insurance in defiance of the law of average.

Assessment insurance companies have in the main adopted the phraseology of the fraternal societies. The policy contract is usually called a certificate of membership. The person whose life is insured is the member of the association. The one to whom the insurance is payable is the beneficiary. The contract does not specify a sum to be paid upon the death of the insured member. The responsibility of the company ends with the collection of the assessment and the distribution of the funds received.

PROVISION FOR THE PAYMENT OF THE EXPENSES

Of the management is made by retaining a portion of the assessment, usually 20 or 25 per cent., and a small sum in addition as annual dues. Some receive the percentage only, some only the annual dues, and other companies are doing business on both plans. A membership fee, varying in amount with the different companies, is charged and usually credited to the expense account. The theory in general seems to prevail that companies organized upon this plan are in the nature of benevolent societies, and that the association is the agency merely through which the benefits derived by its members are received. While no doubt exists as to this being the proper method as applied to fraternal and benevolent associations, it would seem that it was not the proper construction to be placed upon the operations of companies organized for the purpose of profit to their projectors.

The nature of the engagement between the policy or certificate holders being that of mutual dependence upon the association and each other for the equitable enforcement of their rights under the contract, would seem to imply that, at least as to associations of the character last named, a degree

of responsibility rested upon the management which should remove them from the domain of charitable institutions and place them at once in the broader field of life insurance proper, with full responsibilities as to their contracts so far as may be applicable to any form of insurance upon the mutual plan; that the plans of this class of companies should be so made as to conform most closely to the business methods adopted by the more successful companies, and that the most rigid scrutiny should be had in the selection of its memberships. Economy in the administration of its affairs should be one of its leading characteristics, substantial conformity to the law of average in its assessment rate should assure the permanency of the company, and chiefly, that it should state a specific amount in its contracts of insurance, and be held by its membership and by the courts to full accountability for the faithful performance of its trusts. This is the construction placed by courts on the nature of the association, and is substantially the view of the more advanced writers upon the question. It is in harmony with the practice of all the leading and most of the successful companies, and is the only basis upon which assessment companies can rest their claim for the confidence of the public. They must stand or fall as they are measured by this standard.

The looseness which has characterized the statutes of the various States has encouraged the formation of a multitude of companies to do business upon this plan. Act No. 104 of the public acts of 1869 provided for the incorporation of companies of this class within this State.

The following is a list of the names, location and date of incorporation of all associations which have been incorporated under this statute and its amendments, as shown from the files and records in the department of the Secretary of State:

1. The Michigan Benefit Association, Coldwater, March 26, 1870.
2. The North American Mutual Benefit Company of Detroit, Detroit, March 31, 1870.
3. The Economical Mutual Benefit Association, Coldwater, April 1, 1870.
4. The Washtenaw Mutual Benefit Association of Dexter, Michigan, Dexter, February 2, 1871.
5. The Deposit Health and Relief Society of Detroit, Michigan, Detroit, June 13, 1871.
6. The Deposit Health and Relief Society of Detroit, Michigan, Detroit, February 26, 1872.
7. The Ottokar Society of East Saginaw, East Saginaw, July 19, 1872.
8. Odd Fellows' Mutual Relief Association of the State of Michigan, Adrian, March 18, 1873.
9. The St. Joseph Society of Bay City, Bay City, October 8, 1873.
10. The St. Patrick's Mutual Benefit Association of Bay County, Michigan, Bay City, January 16, 1875.
11. Workingmen's Aid Society, Flint, February 2, 1875.
12. The Grand Lodge of the Order of United Sons of Industry of the State of Michigan, Grand Rapids, February 20, 1875.
13. The Workingmen's Mutual Aid Association of the City of Adrian, Adrian, May 18, 1875.
14. The Scandinavian Workingmen's Society, Bay City, May 8, 1876.
15. German Workingmen's Mutual Benefit Society, Manistee, June 1, 1876.

16. The Holland Mutual Benefit Association of Kalamazoo, Michigan, Kalamazoo, June 30, 1876.
17. The Ionia Coöperative and Mutual Benefit Association, Ionia, June 11, 1877.
18. The Farmers' Mutual Benefit Association of Calhoun County, Marshall, November 22, 1877.
19. The Michigan Commercial Travelers' Association, Detroit, December 10, 1877.
20. Odd Fellows' Mutual Relief Association of the State of Michigan, Adrian, December 15, 1877.
21. The Grand Lodge of the Ancient Order of United Workmen of the State of Michigan, Detroit, January 7, 1878.
22. The Michigan Masons' Mutual Benefit Association, Detroit, January 7, 1878.
23. The Shiawassee County Mutual Benefit Association, Owosso, February 5, 1878.
24. United Sisters of Rebecca, Detroit, February 28, 1878.
25. The Grand Lodge of Michigan Knights of Honor, Detroit, April 18, 1878.
26. The Mutual Protective Association, Detroit, May 13, 1878.
27. Dania Society of the City of Grand Rapids, Michigan, Grand Rapids, June 14, 1878.
28. Mutual Benefit Association of Michigan, Detroit, June 14, 1878.
29. Michigan Provident Union, Detroit, July 10, 1878.
30. Masonic Mutual Benefit Association of Western Michigan, Grand Rapids, November 16, 1878.
31. The Odd Fellows' Mutual Benefit Association, of Western Michigan, Grand Rapids, February 19, 1879.
32. Michigan Mutual Benefit Association, Hillsdale, March 1, 1879.
33. Northwestern Mutual Benefit Association, Detroit, April 12, 1879.
34. General Directorate of the Order of Imperial Knights of the State of Michigan, Detroit, April 28, 1879.
35. Masonic Mutual Relief Association of Southern Michigan, Adrian, May 6, 1879.
36. Masonic Coöperative Life Association of Michigan, Detroit, June 9, 1879.
37. Michigan Mutual Benefit Association of Spiritualists and Liberalists, Kalamazoo, July 24, 1879.
38. Union Mutual Association, of Battle Creek, Michigan, Battle Creek, September 24, 1879.
39. Holland Mutual Burial Aid Association of Michigan, Grand Rapids, September 30, 1879.
40. German Mercantile Mutual Benefit Association of Michigan, Detroit, November 11, 1879.
41. Michigan Provident Union, Detroit, December 3, 1879.
42. Northern Mutual Aid Association, Lansing, December 29, 1879.
43. Grand Directorate of the Independent Order of the Knights of Mora, of the State of Michigan, Clare, January 21, 1880.
44. Northern Mutual Benefit and Relief Association, Kalamazoo, January 22, 1880.
45. Michigan Aid Association, Kalamazoo, February 14, 1880.
46. Western Union Mutual Life and Accident Society of the United States, Detroit, February 16, 1880.
47. The Workingmen's Mutual Relief Association, Detroit, March 3, 1880.
48. Good Templars' Mutual Benefit Association, Bancroft, March 6, 1880.
49. Northern Mutual Benefit and Relief Association, Kalamazoo, March 31, 1880.

50. Commercial Mutual Association, Detroit, April 1, 1880.
51. Homeopathic Mutual Benefit Association of Michigan, Detroit, April 1, 1880.
52. The Hastings Workingmen's Mutual Benefit Association, Hastings, April 15, 1880.
53. Good Samaritan Mutual Association, Detroit, May 11, 1880.
54. The Tontine Mutual Benefit Association, Grand Rapids, May 23, 1880.
55. The Detroit Mutual Benefit Association, Detroit, May 24, 1880.
56. Equitable Mutual Benefit Association, Grand Rapids, July 1, 1880.
57. The Home Guardian Sickness and Accident Association, Jackson, July 2, 1880.
58. Provident League of America, Detroit, July 10, 1880.
59. The Knights of the Maccabees of the State of Michigan, Detroit, August 4, 1880.
60. The Safety Fund Life and Accident Association of Michigan, Jackson, August 12, 1880.
61. Northwestern Mutual Benefit Association, Detroit, November 12, 1880.
62. Patrons' Aid Society of the State of Michigan, Lansing, January 21, 1881.
63. Marshall Mutual Aid Association, Marshall, February 1, 1881.
64. Marine and Railroad Life and Accident Association, Detroit, February 11, 1881.
65. Covenant Mutual Benefit Association, Grand Rapids, February 16, 1881.
66. The Grand Haven Hollandsche Onderlinge Hulp Vereeniging, Grand Haven, February 16, 1881.
67. The People's Mutual Aid Society of Michigan, Centreville, March 12, 1881.
68. The Masonic Mutual Benefit Association of Branch county, Michigan, Coldwater, March 30, 1881.
69. Washington Union Benevolent Incorporation, Detroit, April 20, 1881.
70. Mutual Protection Association of Ohio, Tecumseh, June 2, 1881.
71. The Northwestern Mutual Benefit Association, Detroit, June 15, 1881.
72. The Michigan Mutual Benefit Association of Hillsdale, Hillsdale, June 23, 1881.
73. Michigan Mutual Accident Association, Detroit, June 28, 1881.
74. Michigan Provident Union, Detroit, June 28, 1881.
75. Mutual Protection Association of Ohio, Tecumseh, June 30, 1881.
76. The Michigan Benevolent Association, Ypsilanti, July 20, 1881.
77. People's Accident Association, Kalamazoo, August 4, 1881.
78. Michigan Mutual Aid Association, Detroit, August 18, 1881.
79. The National Relief and Accident Association, Tecumseh, October 15, 1881.
80. The North American Mutual Benefit Association, Jackson, October 27, 1881.
81. The Supreme Council, Order of Fraternal Protectors, Grand Haven, November 28, 1881.
82. Odd Fellows' Relief Association, Grand Rapids, November 30, 1881.
83. Michigan Equitable Benefit Association, Sturgis, December 9, 1881.
84. The French-Canadian Mutual Benefit Union of Au Sable and Oscoda, Au Sable, December 17, 1881.
85. The Michigan State Mutual Benefit Association, Monroe, January 24, 1882.
86. The American Accident Association of Detroit, Michigan, Detroit, February 9, 1882.
87. Mutual Invalid Relief Association, Flushing, February 10, 1882.
88. The Detroit Accident Association, Detroit, February 11, 1882.
89. The Commonwealth Accident Association of the City of Grand Rapids, Michigan, Grand Rapids, February 14, 1882.
90. The Peninsular Mutual Benefit Association, Flint, February 18, 1882.
91. The Central Michigan Mutual Life and Accident Association, Marshall, March 4, 1882.

92. Michigan State Mutual Relief Association, Ithaca, April 14, 1882.
93. The Michigan Commercial Travelers' Association, Detroit, May 6, 1882.
94. The International Mutual Life, Accident and Endowment Benefit Association Detroit, May 24, 1882.
95. Michigan Mutual Accident Association, Detroit, July 18, 1882.
96. Union Trust Company of Grand Rapids, Grand Rapids, August 1, 1882.
97. The People's Mutual Insurance and Endowment Association, Detroit, August 3, 1882.
98. The Union Mutual Benefit Association, Detroit, August 11, 1882.
99. St. Adalberts Polish Roman Catholic Benefit Association [of Detroit, Michigan, Detroit, August 15, 1882.
100. The Manistee Vessel Loaders Union, Manistee, September 11, 1882.
101. The Equitable Mutual Insurance and Endowment Association of Detroit, Michigan, Detroit, October 2, 1882.
102. Marshall Mutual Aid Association, Marshall, October 16, 1882.
103. National Accident Association, Detroit, October 25, 1882.
104. Bay City Firemen's Mutual Benefit Association, Bay City, November 9, 1882.
105. State Mutual Life Association of Michigan, Grand Rapids, November 27, 1882.
106. The United Trust Company of East Saginaw, Michigan, East Saginaw, December 4, 1882.
107. Michigan Life Assurance Society, Grand Rapids, January 6, 1883.
108. Mutual Sickness and Accident Society, Reading, January 10, 1883.
109. Equable Life of Michigan, Lansing, January 15, 1883.
110. Livingston Mutual Benefit Association, Fowlerville, January 16, 1883.
111. German Mercantile Mutual Benefit Association, Detroit, February 14, 1883.
112. Northwestern Mutual Life Society, Detroit, February 11, 1883.
113. The National Investment Association, Detroit, March 27, 1883.
114. Merchants', Manufacturers' and Farmers' Union, Detroit, April 2, 1883.
115. Sons of Industry, Detroit, April 6, 1883.
116. The Standard Life Association, Grand Rapids, April 19, 1883.
117. The Old People's Mutual Benefit Society, Mendon, April 20, 1883.
118. Imperial Life Insurance Society, Detroit, April 28, 1883.
119. The Mutual Marriage Benevolent Association, Marine City, May 28, 1883.
120. The Old People's Mutual Benefit Society, Mendon, August 8, 1883.
121. The Druidic Mutual Benefit Association, Detroit, August 23, 1883.
122. Detroit Swabian Mutual Benefit Association, Detroit, October 6, 1883.
123. The Central Michigan Life Association, Marshall, October 12, 1883.
124. The Michigan Equitable Life Association, Sturgis, October 15, 1883.
125. Peninsular State Mutual Benefit Association, Ithaca, October 15, 1883.
126. Reserve Mutual Life Association, Grand Rapids, December 6, 1883.
127. Anncitia Aid Society, East Saginaw, December 12, 1883.
128. Northwestern Mutual Benefit Association, Detroit, January 2, 1884.
129. Supreme Conclave of the Royal Adelpia, Detroit, January 2, 1884.
130. Peninsular Masonic Aid Association, Caro, January 16, 1884.
131. Knights of Samaria, Detroit, January 17, 1884.
132. Lansing Mutual Benefit Association of Michigan, Mason, February 14, 1884.
133. National Protective Alliance of America, Grand Rapids, February 29, 1884.
134. Evangelical Lutheran Widows' and Orphans' Benevolent Society (E. L. W. and O. B. S.) of the Evangelical Lutheran St. Trinities congregation of the city of Wyandotte, Wayne county, Michigan, Wyandotte, February 9, 1884.

135. Supreme Council of the Knights of Columbia, Detroit, March 8, 1884.
136. Order of Knights of Columbia, Detroit, March 17, 1884.
137. The National Aid Association of America, Grand Rapids, March 27, 1884.
138. Graded Michigan Aid Association, Kalamazoo, April 1, 1884.
139. The Beneficiary Department Knights Militant, Detroit, April 29, 1884.
140. The State Life Association, Kalamazoo, April 29, 1884.
141. Odd Fellows National Relief Association, Detroit, May 23, 1884.
142. The Grand Rapids Mutual Benefit Association, Grand Rapids, May 23, 1884.
143. The Funeral Benefit Association of North America, Detroit, May 24, 1884.
144. Jackson life and Mutual Benefit Association, Jackson, May 29, 1884.
145. American Mutual Association, Detroit, June 20, 1884.
146. Funeral Benefit Association of North America, Detroit, September 12, 1884.
147. Polish Roman Catholic St. Michael Benefit Society of East Saginaw, Michigan, East Saginaw, December 18, 1884.
148. Nordist Tremakridt Torening Mutual Benefit Society of Manistee, Michigan, Manistee, January 2, 1885.
149. Michigan Masonic Aid Association, Lansing, January 31, 1885.
150. Mutual Life, Mason, February 3, 1885.
151. People's Coöperative and Mutual Benefit Society, Battle Creek, March 5, 1885.
152. Order of the Red Cross and Knights of the Red Cross, Detroit, April 4, 1885.
153. Universal Relief and Indemnity Association, Detroit, April 18, 1885.
154. Eaton Rapids Mutual Life Association, Eaton Rapids, April 24, 1885.
155. Southern Michigan Mutual Association, Union City, May 22, 1885.
156. Soldiers' Mutual Aid and Life Assurance Association, St. Louis, June 1, 1885.
157. Soldiers' Mutual Aid and Life Assurance Association, St. Louis, July 1, 1885.
158. Standard Life Association of Marshall, Michigan, Marshall, July 8, 1885.
159. Odd Fellows' National Relief Association, Detroit, July 27, 1885.
160. Loyal Life Association, Reading, August 26, 1885.
161. Star of Bethlehem Mortuary Benefit Association of North America, Detroit, August 31, 1885.
162. Supreme Tent of the Knights of Maceabees of the World, Port Huron, September 12, 1885.
163. Industrial Mutual Benefit Association, Corruna, November 11, 1885.
164. Odd Fellows' Cooperative and Mutual Benefit League of the State of Michigan, Flint, November 14, 1885.
165. Synoid Polski Association of Detroit, Michigan, Detroit, November 25, 1885.
166. Grand League of the German Order of Hargavi of the State of Michigan, Detroit, November 25, 1885.
167. The Old People's Life Insurance Company, Jackson, January 5, 1886.
168. The Mutual Guaranty Fund Life Association, Lansing, January 29, 1886.
169. The Old People's Mutual Benefit Society, Benton Harbor, February 5, 1886.
170. The Provident Benefit Association of North America, Detroit, March 11, 1886.
171. The Mutual Life and Accident Association of Michigan, Mason, May 4, 1886.
172. Equitable Mutual Life of Michigan, Lansing, June 19, 1886.
173. The Fidelity Relief and Indemnity Association of Michigan, Detroit, July 30 1886.
174. The Valley City Mutual, Grand Rapids, August 9, 1886.
175. Protective Life Association, Lansing, August 25, 1886.
176. The American Mutual Benefit Association, Bellevue, October 2, 1886.
177. The Equitable Life Association, Homer, November 23, 1886.

178. German Workingman's Mutual Benefit Society, Manistee, December 15, 1886.
179. The Michigan Sickness and Accident Association, St. Louis, January 4, 1887.
180. The Royal Benefit Association of Detroit, Michigan, Detroit, January 6, 1887.
181. Mutual Life Association of Michigan, St. Johns, February 9, 1887.

In 1883 the Legislature requested the Attorney General to ascertain the name and condition of all the cooperative and mutual benefit associations, which had become incorporated under the law of 1869, and its amendments. In compliance with this request he addressed to each association a circular asking for this information. Replies were received from forty-five of them, and the circular letter was returned with seals unbroken from thirty-six. At this time 104 such associations had been incorporated within this State. The inference was that the thirty-six failing to receive their mail had then suspended business and were no longer in existence. Of the forty-five making a report eighteen took out the license required by the law of 1883, and of this number only a record can be made. Only nine of them are now doing business under the law. Six have failed outright, and three have either consolidated with other associations or have reinsured their members. Among the forty-five associations reporting were ten fraternal associations, which do not take out license under the law, and of which no record has been kept by the insurance department. A very careful investigation by your committee, however, develops the fact that six at least of these associations are no longer alive.

Since that time, viz: the years of 1883, 1884, 1885 and 1886, there have become incorporated under the laws of this State, according to the record, in the office of the secretary of state, seventy-seven associations, of which number eleven are fraternal or benevolent associations which have not taken out license. Of the remaining sixty-six, only thirty-three have taken out the required license at any time, and but eighteen of that number were in legal existence on the tenth day of March, 1887. Fifteen of these associations retired during the three years above cited. Since January first, last, three such associations have been organized.

This showing is a startling one, for since the law providing for the incorporation of these associations went into effect in 1869, there have been organized 181 corporations of this character, of which number 160 were cooperative or mutual benefit associations. During the time which has elapsed since, all have died but 27, nine alone closing up their business in 1886.

The following table "A" shows all that is to be obtained of a statistical nature as to the history of the companies which have been organized upon this plan, and which have made reports to the insurance departments. The design has been in the preparation of this table to show the total income received by the several associations from its members, the total amount of losses paid, the total expenses of conducting the business, the percentage of expense to income, as well as a necrological history of each of the companies which have retired from the field. This table comprises only the brief period intervening between the passage of the act of 1883 to December 31, 1886. The list of companies comprises all that have ever been licensed by the insurance department, including those which have been incorporated during the present year. The financial exhibit is taken from the records of the insurance department and from the sworn statements of the companies required by the law of 1883 to be filed in the office of the insurance commissioner:

TABLE A.

File Number.	Name of Association.	Location.	Date of Organization.	Total Income for Years 1888-4-6-6.	Losses Paid during Years 1888-4-6-6.	Expenses for Years 1888-4-6-6.	Ratio of Expenses to Income.	Remarks.
1	National Accident Association.....	Detroit.....	1888	.....	.....	.....	.....	Closed for lack of funds. Never reported.
2	Sons of Industry.....	Detroit.....	1888	\$4,591 58	.....	\$3,304 80	72	Considered fraternal. No report since 1888.
3	Union Mutual Association.....	Battle Creek.....	1879	229,553 87	\$126,464 09	80,762 80	38	Removed to Detroit in 1886.
4	Masonic M. B. Ass'n of Western Michigan.....	Grand Rapids.....	1878	287,305 65	175,000 00	19,851 93	07	
5	Mutual Sicknes and Accident Society.....	Reading.....	1888	8,418 42	2,841 40	5,280 96	62	Closed in 1888. Failed to report.
6	Marshall Mutual Aid Association.....	Marshall.....	1881	42,799 07	16,888 75	16,006 31	38	License revoked in 1884.
7	People's Accident Association.....	Kalamazoo.....	1881	9,424 60	2,523 45	6,793 92	72	Closed in 1884. No report since '83.
8	Michigan M. B. Association.....	Hilledale.....	1881	157,909 11	121,470 85	34,184 67	21	
9	Farmers' M. B. Ass'n of Calhoun Co.....	Marshall.....	1877	5,083 57	4,717 00	447 12	09	Not in existence now. Transferred membership to No. 38 in 1885.
10	Central Michigan Life Association.....	Marshall.....	1888	22,417 84	4,781 58	7,484 05	38	
11	Michigan Equitable Life Association.....	Sturgis.....	1888	5,104 08	1,843 08	1,793 66	35	
12	Western Union L. & A. Society of the U. S.....	Detroit.....	1880	600,735 09	370,725 52	195,324 48	33	Consolidated with Covenant M. B. Ass'n of Galesburg, Ill., before 1888. Foreign Co.
13	Covenant M. B. Association of Michigan.....	Grand Rapids.....	1881	.....	.....	.....	.....
14	Commercial Mutual Association.....	Detroit.....	1880	69,097 81	36,617 64	26,641 44	38	Closed in 1887. No report since '84.
15	Ionis Coöperative & M. B. Association.....	Ionis.....	1877	5,678 79	3,317 19	1,077 05	19	
16	Peninsular State M. B. Association.....	Ithaca.....	1888	63,193 49	35,847 84	26,779 17	42	
17	Michigan Aid Association.....	Kalamazoo.....	1880	37,637 72	25,163 71	9,759 09	26	Closed in 1888. No report since '85.
18	Detroit Mutual Benefit Association.....	Detroit.....	1880	87,980 77	50,608 09	40,196 74	45	
19	Reserve Mutual Life Association.....	Grand Rapids.....	1888	23,178 55	11,598 08	10,794 85	46	License revoked in 1888. Closed.
20	Patrons' Aid Society of Michigan.....	Schoolcraft.....	1881	212 50	216 45	79 90	34	Membership transferred to No. 3 in '84. Co. dissolved in 1886.
21	Northwestern M. B. Association.....	Detroit.....	1884	48,105 74	24,355 99	12,448 61	26	
22	Peninsular Masonic M. B. Association.....	Caro.....	1884	19,387 61	6,778 31	12,594 30	65	

TABLE A.—CONTINUED.

File Number.	Name of Association.	Location.	Date of Organization.	Total Income for Years 1883-4-5-6.	Losses Paid during Years 1883-4-5-6.	Expenses for Years 1883-4-5-6.	Ratio of Expenses to Income.	Remarks.
23	Lansing Mutual Benefit Association.....	Mason.....	1884	.....	.....	.....	.....	License revoked April, 1884. No report ever made.
24	The Order of the Knights of Columbia.....	Detroit.....	1884	.....	.....	.....	.....	Said to be transferred to No. 2. No report ever made.
25	Graded Michigan Aid Association.....	Kalamazoo.....	1884	628 50	71 37	479 19	76	Closed in 1886. No report since '86.
26	State Life Association.....	Kalamazoo.....	1884	.....	.....	.....	.....	No business ever transacted.
27	Jackson Life and M. B. Association.....	Jackson.....	1884	.....	.....	.....	.....	Transferred to No. 3 in 1884. No report ever made.
28	Grand Rapids M. B. Association.....	Grand Rapids.....	1884	.....	.....	.....	.....	Closed in 1884. No report ever made.
29	Beneficiary Department, Knights Militant.....	Detroit.....	1884	21,028 87	7,930 52	5,716 87	28	Officer's report: "Going out of business."
30	American Mutual Association.....	Detroit.....	1884	.....	.....	.....	.....	Closed in 1884. Transferred to No. 18 in 1884.
31	Funeral Benefit Association.....	Detroit.....	1884	1,333 64	150 00	272 75	20	Closed in 1885. No report since '84.
32	Michigan Masonic Aid Association.....	Lansing.....	1885	1,119 53	159 56	747 43	66	Closed under the law. No report for 1886 and no license.
33	The Mutual Life.....	Mason.....	1885	20,399 54	3,733 20	16,492 00	81	.....
34	People's Coöperative & M. B. Society.....	Battle Creek.....	1885	45,929 99	20,627 00	24,305 54	49	.....
35	Eaton Rapids Mutual Life Association.....	Eaton Rapids.....	1885	.....	.....	.....	.....	Closed in 1886. Never made a report.
36	Southern Michigan Mutual Aid Ass'n.....	Union City.....	1885	19,561 89	6,499 53	12,305 48	63	.....
37	Universal Relief & Indemnity Ass'n.....	Detroit.....	1885	16,568 70	3,724 00	12,632 76	76	.....
38	Soldiers' Mutual Aid & Life Association.....	St. Louis.....	1885	.....	.....	.....	.....	Report for 1885 too late for Insurance report. No license since. Closed. Absorbed by No. 38.
39	The Standard Life Association.....	Marshall.....	1885	28,759 00	5,045 00	18,105 00	63	.....
40	The Odd Fellows' National Relief Ass'n.....	Detroit.....	1885	6,933 85	2,387 00	4,062 89	58	.....
41	The Loyal Life Association.....	Reading.....	1885	57,181 00	7,027 00	43,080 98	75	Closed in 1886. No report since 1885.
42	The Odd Fellows' Coöperative & M. B. League.....	Flint.....	1885	21 00	.....	4 00	19	.....
43	The Industrial M. B. Association.....	Corunna.....	1885	4,561 49	14 00	4,294 57	91	.....
44	The Old People's Life Insurance Co.....	Jackson.....	1886	9,554 00	161 00	8,396 00	88

45	The Mutual Guarantee Fund Life Ass'n.....	Lansing.....	1886
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B.—Table showing the Life and Accident Business transacted during the year 1886 by Assessment Life and Accident Associations authorized to do business in the State of Michigan.

File Number.	Name of Association.	Location.	Certificates in Force Dec. 31, 1888.				Receipts.		Expenditures.			Assets.		Liabilities.
			Whole Number.		In Michigan.		From Members.	From other Sources.	Losses Paid.		Ex-penses.	In-vested.	Con-tingent.	
			No.	Amount.	No.	Amount.			No.	Amount.				
Of Michigan:														
52	American Mutual Benefit Ass'n.....	Bellevue.....	174	\$174,000	174	\$174,000	\$1,614	\$350			\$1,934	\$30		\$350
29	Beneficiary Dept. Knights Militant.....	Detroit.....	735	735,000	735	735,000	7,339		15	\$5,612	2,182			
10	Central Michigan Life Association.....	Marshall.....	73	112,000	73	112,000	1,666		6	1,236	430			30
14	Commercial Mutual Association.....	Detroit.....	708		708		7,415		16	3,736	4,315	1,612		
18	Detroit Mutual Benefit Association..	Detroit.....	649	1,490,000	410	1,025,000	9,707		18	4,156	5,897	1,244		504
43	Equable Mutual Life.....	Lansing.....	111	111,000	111	111,000	2,060		1	232	1,858			
53	Equitable Life Association.....	Homer.....	50	50,000	50	50,000	389				387	183		
51	Fidelity Relief and Indemnity Ass'n.....	Detroit.....	142	13,850	142	13,850	394	400		138	567	284	\$66	400
43	Industrial Mutual Benefit Ass'n.....	Corunna.....	329	581,500	329	581,500	3,574	367	1	14	3,730	292		624
41	Loyal Life Association.....	Reading.....	4,051	4,051,000	4,051	4,051,000	53,907		18	7,027	39,865	7,056		9,500
4	Masonic Mut. Ass'n of Western Mich.....	Grand Rapids.....	5,268	5,268,000	5,268	5,268,000	53,362	2,604	57	57,000	5,224	48,774	770	5,000
11	Michigan Equitable Life Ass'n.....	Sturgis.....	179	316,500	179	316,500	648		1	400	287	435		
8	Michigan Mutual Benefit Ass'n.....	Hillsdale.....	2,253	4,500,600	2,253	4,500,600	32,127		10	21,607	11,407	1,795		25,000
33	Mutual Life.....	Mason.....	684	801,000	684	801,000	10,880		13	3,198	7,619	54		
21	Northwestern Mutual Benefit Ass'n.....	Detroit.....	130	126,500	130	126,500	16,944	2,063	20	12,385	6,095	1,792		904
42	Odd Fellows' Cooperative and M. B. League of the State of Michigan.....	Flint.....	9	9,000	9	9,000	21				4	17		64
44	Old People's Life Ins. Co. of Jackson.....	Jackson.....	581	845,500	581	845,500	8,050	908	7	161	8,396	1,000		905
46	Old People's Mutual Benefit Society..	Benton Harbor.....	433	808,500	433	808,500	24,496		12	5,518	17,385	1,593		4,832
22	Peninsular Masonic Aid Association.....	Caro.....	1,023	2,763,000	1,023	2,763,000	8,609		4	8,496	5,113			

16	Pennsular State Mut. Benefit Ass'n.	Ithaca.....	2,659	2,659,000	2,659	2,659,000	39,110	.....	38	27,553	11,727	700	.....	27,500
34	People's Corp. and Mut. Benefit Soc'y	Battle Creek...	1,149	1,617,000	1,149	1,617,000	35,656	.....	33	19,277	16,359	597	.....	9,158
50	Protective Life Association.....	Lansing.....	69	69,000	69	69,000	840	286	.....	.....	986	140	68	286
47	Provident Benefit Ass'n of N. Amer.	Detroit.....	96	43,700	34	7,800	387	500	2	88	738	126	.....	500
36	Southern Michigan Mutual Ass'n....	Union City.....	416	584,500	416	584,500	12,797	.....	20	6,169	6,874	730	.....	2,000
39	Standard Life Association.....	Marshall.....	873	1,344,000	873	1,344,000	28,442	.....	20	5,045	15,776	6,210	200	516
8	Union Mutual Association.....	Detroit.....	2,557	4,579,000	2,445	4,300,000	64,679	.....	18	40,000	23,987	6,219	878	16,000
37	Universal Relief and Indemnity Ass'n	Detroit.....	738	3,295	738	3,295	12,967	526	12	3,379	10,172	524	237	520
12	Western Union Life and Accident Society of the United States.....	Detroit.....	3,897	19,067,500	2,317	10,562,500	176,063	.....	24	110,000	58,240	23,893	.....	10,000

C—Associations Taking no Risks Over 65 Years of Age.—Business of 1886.

File Number.	Name of Association.	Location.	Income.	Expenses.	Ratio of Expenses to Income.	Total Amount of Losses (Face Value).	Amount Paid to Beneficiaries on Losses.	Amount Paid to Each \$1,000 Insurance.	Average Age of Members.	Remarks.
29	Beneficiary Dept. Knights Militant	Detroit	\$7,889 88	\$2,181 98	.30	\$8,279 00	\$5,611 88	\$69 24	43	Report states: "Going out of business."
14	Commercial Mutual Association	Detroit	7,415 00	4,315 58	.58	44,600 00	3,786 88	80 34	44	Relief Ass'n—Sick benefits on children and adults.
51	Fidelity Relief and Indemnity Association	Detroit	794 29	588 97	.71	138 50	138 50	1,000 00	—	
4	Masonic Mut. Ben. Ass'n of W. Michigan	Grand Rapids	55,985 78	5,323 67	.09	57,000 00	57,000 00	1,000 00	45	
11	Michigan Equitable Life Association	Sturgis	647 78	297 23	.44	400 00	400 00	1,000 00	46	
8	Michigan Mutual Benefit Association	Hillsdale	22,128 59	11,407 15	.50	33,000 00	31,608 89	664 75	43	
21	Northwestern Mutual Benefit Association	Detroit	19,088 88	6,685 52	.35	33,000 00	13,384 77	538 68	53	
42	Odd Fellows Co-Op. & M. B. League of the State of Michigan	Flint	21 00	4 00	.19	—	—	—	43	Organized Nov. 1886. No losses in 1886.
22	Peninsular Masonic Aid Association	Caro	8,609 09	5,113 29	.59	11,000 00	3,485 70	317 79	40	
47	Provident Benefit Ass'n of North America	Detroit	888 99	727 74	.88	1,000 00	89 21	89 21	28	
3	Union Mutual Association	Detroit	64,679 24	22,988 92	.35	40,000 00	40,000 00	1,000 00	43	
12	W. Union Life & Accident Society of the U. S.	Detroit	176,082 88	53,240 33	.33	110,000 00	110,000 00	1,000 00	43	
	Total		\$573,605 26	\$117,700 43	—	\$288,917 80	\$254,462 57	—	—	

D.—Associations Taking Risks Over 65 Years of Age.—Business of 1886.

File Number.	Name of Association.	Location.	Income.	Expenses.	Ratio of Expenses to Income.	Total Amount of Losses (Face Value).	Amount Paid to Beneficiaries on Losses.	Amount Paid to Beneficiaries on Each \$1,000 Insurance.	Average Age of Members.	Remarks.
92	American M. B. Association.....	Bellevue.....	\$1,984 00	\$1,984 00	.98	.....	.....	.....	68	Organized 1866. No losses in 1886.
10	Central Michigan Life Association.....	Marshall.....	1,000 28	430 61	.36	\$6,500 00	\$1,235 67	\$190 00	46	
18	Detroit Mutual Benefit Association.....	Detroit.....	9,708 72	5,997 26	.61	39,000 00	4,115 73	108 55	54	
48	Equable Mutual Life.....	Lansing.....	2,000 00	1,858 00	.93	1,000 00	232 00	232 00	75	
53	Equitable Life Association.....	Homer.....	868 80	868 97	.96	.....	.....	.....	59	Organized 1866. No losses in 1886.
43	Industrial M. B. Association.....	Corunna.....	2,900 51	3,729 95	.95	1,000 00	14 35	14 35	61	
41	Loyal Life Association.....	Reading.....	53,907 94	39,865 11	.74	41,000 00	7,027 98	173 86	63	
33	Mutual Life.....	Mason.....	10,869 87	7,619 35	.70	17,000 00	3,136 06	187 74	63	
44	Old People's Life Ins. Co. of Jackson.....	Jackson.....	9,558 86	8,365 60	.96	7,000 00	160 60	22 94	65	
46	Old People's M. B. Society.....	Benton Harbor.....	24,496 31	17,385 33	.70	24,000 00	5,517 93	229 91	67	
16	Peninsular State M. B. Association.....	Ithaca.....	39,109 91	11,727 45	.....	150,000 00	27,553 15	168 68	71	Membership fees estimated. Unfair to average.
34	People's Cooperative and M. B. Society.....	Battle Creek.....	35,666 15	16,358 43	.....	58,000 00	19,277 50	323 37	66	Membership fees estimated. Unfair to average.
50	Protective Life Association.....	Lansing.....	1,126 41	936 46	.87	.....	.....	.....	69	Organized 1866. No losses in 1886.
36	Southern Michigan Mutual Association.....	Union City.....	12,797 16	6,873 76	.54	32,500 00	6,169 51	189 83	61	
39	Standard Life Association.....	Marshall.....	29,441 61	15,776 20	.60	33,000 00	5,044 95	153 87	69	
37	Universal Relief and Indemnity Association.....	Detroit.....	12,622 33	10,171 54	.74	.....	.....	.....	.....	No record of face value of losses or age of members
	Total.....		\$247,200 06	\$130,276 03	.....	\$410,000 00	\$79,574 98	.....	.....

The causes of the failure of so many of this class of corporations in Michigan may, perhaps, be deduced from this table. When in round numbers two millions of dollars are required to pay one million dollars of death claims, when the ratio of expenses to income ranges through the ordinary scale of from seven to ninety-nine per cent. of the total income with a general average of fifty-three per cent. for expenses alone, it would indicate a degree of recklessness in the management which would be fatal to the existence of any commercial institution. The magnitude of the business transacted, however, would clearly indicate a strong popular demand for life insurance upon the assessment plan which would be the proper province of legislation to supply.

Table "B" gives an exhibit of all Michigan co-operative and mutual benefit associations which have received license from the insurance department for the year 1887, and shows the condition of such associations December 31, 1886.

Table "C" shows the total income, the total expenses, the ratio of expenses to income, the total amount of death losses and the average amount paid on each \$1,000 insurance for the year 1886, by companies which do not insure their members beyond the age of 65 years.

Table "D" gives a record of the business of 1886 of the companies insuring their members beyond the age of 65 years.

As we have stated, it appears to your committee that the assessment plan of insurance depends more than any other for its success and perpetuity upon the confidence of the public in the present and future loss paying ability of its association. In order to meet this expectation only the best plans and most careful management should be indicated by statutes having a bearing upon the subject. We believe it to be within the province of legislation to provide regulations so far as consistent in a general statute. The essential things to be incorporated are :

First, The form of association, which should be approved by the appropriate officers of the State, and should be as far as practicable uniform in its terms.

Second. That the statute, while it should be broad in its statements as to the nature of the contract, in order to give the widest latitude to the associations organized under its provisions, should be specific in defining the rights of its members as to the exercise of their franchises, and it should confine its membership to those of an insurable age, and permit the execution only of such contracts as would clearly be within the lawful construction of an insurable interest ; and the association should, in order to merit a degree of public confidence, execute a contract with its members for a specific sum and be held to a strict accountability for the performance of its contracts. Without this desirable feature lax methods would unquestionably creep into the management, and the association be doomed to an early death. It is not wisdom for the State to foster institutions which assume to supply to its people adequate and permanent security for the productive value of their lives, and which are not instituted and managed in substantial conformity to the law of average as laid down in the American Experience Table of mortality. These can be, and are, with all successful companies, adapted to the business of assessment life insurance companies, and must be in all if success is attained. This question admits of no argument. The laws of mortality are fixed and unchanging as the revolution of the spheres. On the ground of public policy no speculative contracts should find a place among the

associations authorized by the statutes. This leads us to consider the legal definition of an insurable interest.

WHAT IS AN INSURABLE INTEREST?

The supreme court of the United States has laid down the general rules which in the main, governed the various decisions of the courts upon this question. The case cited is *Warnock vs. Davis*, 104 U. S., 775: "It is not easy to define with precision what will, in all cases, constitute the insurable interest so as to take the contract out of the class of wager policies. It may be stated generally, however, to be such an interest, arising from the relations of the party obtaining the insurance, either as creditor of or surety for the insured, or from the ties of blood or marriage to him, as will justify a reasonable expectation of advantage or benefit from the continuance of his life. It is not necessary that the expectation of advantage or benefit should be always capable of pecuniary estimation; for a parent has an insurable interest in the life of his child and a child in the life of his parent; a husband in the life of his wife, and a wife in the life of her husband. But in all cases there must be a reasonable ground, founded upon the relations of the parties to each other, either pecuniary or of blood or affinity, to expect some benefit or advantage from the continuance of the life of the insured; otherwise the contract is a mere wager by which the party taking the policy is directly interested in the early death of the insured. Such policies have a tendency to create a desire for the event. They are, therefore, independently of any statutes upon the subject, condemned as being against public policy."

A brother has no insurable interest in the life of a brother. *Lewis v. Mutual Life*, 39 Conn., 100.

An uncle has no insurable interest in the life of his nephew. *Singleton v. St. Louis Mutual Life*, 66 Mo., 63.

A nephew has no insurable interest in the life of his uncle. *Mowry v. Home Life Ins. Co.*, 9 R., 346.

A son-in-law has no insurable interest in the life of his mother-in-law. The Supreme court of Pennsylvania held in the case of *Stoner v. Line*, administrator, that a son-in-law had no insurable interest in the life of his mother-in-law. He was not a creditor of hers, nor in any manner legally liable for her support or maintenance, and neither could inherit from the other. There was no consanguinity between them. The mere fact that he married her daughter gave him no such pecuniary interest in the preservation of her life as to permit him to perfect a valid insurance thereon for his benefit. As to him, it was purely a gambling contract.

Where the policy is taken out at the instigation of a beneficiary it is void unless he can show an insurable interest. *Wainwright v. Bland*, 1 Mees & W., 32.

EMERGENCY FUND.

The value of a reserve or an emergency fund to companies doing business upon the assessment plan cannot be over-estimated. As its name would indicate, it should be used to tide the company over an emergency caused by an excessive death rate and for the increased cost of the insurance caused by the gradually increasing age of its membership. A company newly organized, of well selected and healthy lives, would experience only a moderate death rate for the first decade; then the gradually increasing age of its per-

sistent members would involve a greater liability to death losses, to meet which would require an increased number of assessments, or a new annual rating for each risk as upon the renewable term plan. Either of these methods would involve a hardship; to neglect both would be to dishonor its claims for death losses and lack of confidence, accompanied by the withdrawal of the more healthy members would intervene, and speedy dissolution of the company would inevitably follow.

A fund collected in small sums from its members, limited perhaps as a minimum to the amount of one assessment, or in the maximum to three or five per cent of the amount insured, would serve to protect the persistent members when the time arrived that the death losses had materially increased, and serve to reduce the increased assessment thus made necessary. It would enable the company to pay its death losses promptly, and would enable it to successfully bridge over any sudden increase of losses in excess of the anticipation of the mortality tables. It should be remembered that the contract is one for life, and for the benefit of those dependent upon the life insured. All proper means should be taken to provide against the dissolution of the company at a time when perhaps many of its members would be debarred by reason of age or ill health from obtaining indemnity elsewhere. Experience has shown that the young, strong and healthy members are the first to lapse their policies when disasters overtake the association. It is simple justice that the persistent member should have his policy protected by the fund accumulated during the years when the company was more prosperous and the death rate low.

Again, *the possession of a reserve* acts as a bond of cohesion to its members in times of adversity. With higher assessments to pay by remaining, and nothing to lose by withdrawal, he will allow his policy to lapse. If his assessment can be reduced in amount by drawing from the emergency fund to cover the excessive cost, and with the assurance that by withdrawal he will forfeit to the persistent members his proportion of the fund, he will remain and assist in perpetuating the existence of the company. Most of the successful companies, outside the fraternal societies, doing business upon the assessment plan, have some similar plan embodied in their articles of association, and without a provision of this nature no association could assure its members that it would outlive a single year. With a proper attention to the mortality tables in fixing the rate of assessment at the different ages of its members, with a moderate reserve or emergency fund to provide for excessive losses, and with a liberal infusion of new blood to keep down the average age, there is no reason, in the judgment of your committee, why a company organized upon this plan may not be as safe, as permanent and prosperous, and much cheaper in its present cost than companies organized upon the level premium plan.

A company not doing business upon this plan must not only use extreme care in the selection of its material, in securing strong, healthy lives, and in its financial management, but in order to retain the confidence of the public and the continuance of its membership, it must confine its business within an *insurable age*.

Your committee believe, and most earnestly recommend, that no statute be enacted for the insurance of life under this plan over the age of 65 years, and that a much lower age would better insure the safety and permanency of assessment companies. The reasons for this are numerous. The principal reasons why it should not be permitted by law are that the average individual

of that age has little, if any, actual insurable value in his life. He has most frequently passed beyond his active business career, and the productive value of his life cannot be measured. In most cases his family have grown beyond the necessity of his labor for their support. If in moderate or comfortable circumstances he would not need to carry insurance; if poor, he could not afford to pay from his meager earnings even the actual cost of an insurance upon his life. If he paid less than his equitable proportion of the expense of maintaining the company, then it would be an injustice to the younger members of the association. This inequity, together with the high rate of mortality, would bring the company into disfavor, and its speedy dissolution would be the result. No one would have a pecuniary interest in the continuance of his life such as to justify the placing of insurance thereon by another. Such a contract would be in the nature of a wager, and void at law.

The statute should not authorize or permit the execution of a contract which would imply a pecuniary reward to an individual conditioned upon the early death of another, and under which a son might hail with joy the tidings of the death of his mother, and under the operation of which all of filial reverence and affection would be swept aside and the tender association of the home circle would be blotted by infamy and a withering blight rest upon homes throughout the State. The thought is atrocious; the practice would be devilish.

The practice of insuring the lives of individuals who have in the main passed beyond the insurable age, not only is fatal to the good faith and continuance of the companies, not only is it bad public policy and opposed to good morals, but it is entirely within the province of legislation to regulate it by statute. In Connecticut, Iowa, Ohio and Pennsylvania the insurable limit of age upon the assessment plan is fixed at sixty-five years. In Massachusetts and Missouri, which have the most recent and perfect statutes upon this question, the age is limited to sixty years. The fraternal associations, as a rule, limit the age of their members to fifty years.

SPECIFIC INSURANCE.

Your committee would recommend that the statute should require a specific sum to be named in the policies or certificates issued by companies organized for the purpose of pecuniary profit and doing business upon the assessment plan, and also require the specific payment of the sum insured upon the happening of the contingency insured against, within a limited time from the occurrence of the contingency, under penalty of forfeiture of its corporate existence.

FRAUDULENT INSURANCE.

That the practice of the business of assessment insurance in this State has, in the main, been fraudulent and insecure, one would scarcely think of denying in the face of the record. We have endeavoured to show that the business may be done upon this plan with safety to the public and to the Associations; proper plans and economical management being the essential factors. It appears to your committee to be little short of a crime for an association to issue to its members a contract carrying upon its face in bold type the apparent promise to pay one, three, or five thousand dollars, but containing in smaller type the condition that if the insured person died within a specified time the beneficiary should receive comparatively nothing, and that in any event he

could receive only a portion of what might be voluntarily contributed, or under the pooling process accept the awards of the manipulators of the operation.

It has been held that it would be impracticable to compel a coöperative company to pay its losses in full; that if such were the law no companies could be organized upon this plan; that the payment of the assessments by the members being voluntary contributions, no machinery of law would be adequate to enforce the contract, and that it would lead to the speedy death of the associations now doing business in the State. That it would sound the death knell of many, is no doubt true, but we submit that, as to any association whose existence it would be desirable to perpetuate, it would work only a temporary hardship, and that nearly all the associations which are really doing the business of life insurance upon this plan, would gladly welcome and cheerfully conform to such a statute. Coöperative fire insurance companies within this State are not only successfully operated upon this plan but are an honor and a credit to the State. For thirty years some of them have stood the test, and are to-day the most prosperous of associations.

The same general principles apply to each society. They are each mutual associations wherein the membership agree with each other and with the association for indemnity against the loss of something of value in the event of a certain contingency. The contract is reciprocal. If binding upon the members it should be equally so upon the company. The promise upon the part of the member is that he will pay a specific sum upon the death of a fellow member, and why should not the promise be as binding upon the other party to the contract? It may be urged that the contract is a voluntary one and that it would terminate at the option of the member by his simply refusing to pay his assessment. While this is generally true, unless otherwise stipulated in the contract, it would be held as a measure of equity which would be enforced by the courts that the retiring member should be held for the payment of his equitable proportion of the actual liabilities created during the life of his certificate and existing at the time of his notice of withdrawal. The United States circuit court for Wisconsin has stated this question in the following terms:

"The co-operative certificate holder has entered into an agreement with his co-members by which they insure each other, and has agreed to meet assessments as they arise. This agreement can be enforced by the courts, either through the organization as the instrumentality, or perhaps directly without its intervention." *U. S. C. C., Wis., Smith v. Association.*

While in the opinion of your committee this doctrine would not be applicable to future assessments, it would be unquestionably true that the member could be held for the payment of his proportion of the liabilities actually accrued at the time he should elect to sever his connection with the association.

A member has the right to expect as safe an insurance as the company can supply. In order to receive this he must assume a reciprocal obligation as to each of the other members of the association.

Of the Michigan companies now doing business, nearly one-half of those who would be entitled to any consideration whatever at your hands are and have been for years paying their losses in full. The remainder of them could easily comply with such a law by reducing the amount of their certificates outstanding, to such sums as would enable them to pay in full the face of the contract, without change in the rate of assessment. That the law should permit the

execution of a contract which apparently promises upon its face five thousand dollars, and then allow its payment at the ridiculous sum of ten dollars, is an outrage upon common decency, and has served to make assessment insurance a stench in the nostrils of the public, and a parody upon the name and purposes of life insurance.

As to the retarding influence of such a law in the formation of new companies to do business upon this plan, it may be said that if the membership were carefully selected of only healthy lives, the rate of mortality would be extremely low for the first few years of its existence and by reducing the management expenses to a minimum, limiting the insurance upon the life of each member to such a sum as would be within the range of the value of its assessments and increasing the insurance to be carried by its members only with the increased ability of the company to pay its losses in full, if the plan of the company and the integrity of its management commended itself to the public, the company would be successful from its birth and would serve to restore the fair fame of assessment companies in Michigan.

Legislation of this character is demanded as a measure of self protection to the honest advocates and honorable companies doing business upon the assessment plan. So long as it is possible for unscrupulous men without character or responsibility, with a few dollars in money, a few sheets of paper, and a reputable dupe to act as an advertising card in their literature, to organize an assessment life insurance company, so long will the State be preyed upon by these monsters in human form, whether under the guise of Old People's Life Insurance Companies, or whatever form the swindle may assume. Compel them to make good their promises, the bubble bursts and the scheme vanishes like the baseless fabric of a vision. Massachusetts has taken the lead in this direction. At the session of its Legislature in 1885, a law was passed to compel companies doing business upon this plan to name a specific sum in its contracts of insurance, and be held for its payment, under penalty of forfeiture of their corporate rights. The Insurance Commissioner, in his special report for 1886, in speaking upon this question says:

"Aside from an honest and capable business management and just assessment rates, important conditions of success with an assessment company, are a moderate death rate, which implies a judicious selection of lives, the foundation of all successful general life insurance: a substantial maintenance of membership, whereon depends its financial ability: prompt payment of claims, which is demanded by good faith to its members. When such a company fails in these particulars it forfeits its title to confidence. To enforce these conditions is the object of recent legislation. The law in effect proposes that no company unable to comply with these conditions shall continue to do business with the public. The contract must be absolute to pay a specific sum upon the happening of the contingency it insures. The law does not, as it could not well do, compel an absolute provision for the payment, nor make individuals of the corporation personally liable. That were incompatible with the nature of the transaction. But where the corporation cannot perform its contracts it must stop business. That inability exists when its membership so declines that the assessments, together with any available reserve, prove insufficient to pay in full the benefits contracted for, and the law judges that when the corporation falls into such a condition, public considerations forbid that it should longer be allowed to disappoint the public with promises it cannot fulfill."

Mr. Litchfield, vice-president for Massachusetts, of the Mutual Benefit Life Associations of America, in speaking before the eleventh annual convention of this association held in St. Louis, October 21, 1886, says: "I think this may be said, Mr. President, on behalf of what we yet call the new law of Massachusetts, that it has strengthened the public sentiment relative to assessment insurance in this way: People believe that this form of insurance can exist and can be made permanent. I think it has had a healthful effect upon public sentiment in relation to it, and I think the proper working of the law is such that none of us who have the interest of assessment insurance at heart would be willing to go back to the old shiftless methods that were provided under the old law." Yet this same gentleman had two years before appeared before the joint committees of the Massachusetts legislature in opposition to this bill.

The General Assembly of the State of Missouri during its present session passed an act which was approved March 30th ult. and given immediate effect, which limits the age of members to 60 years; provides for the creation of an emergency fund, and for the payment in full of the sums named in the policies or certificates of associations doing a life or casualty business upon the assessment plan.

With the belief that the public interest would be thereby subserved and that some of the evils which have grown out of the assessment system would be thereby removed, your committee unanimously recommend the passage of the following bill:

A BILL to revise the laws providing for the incorporation of co-operative and mutual benefit associations, and to define the powers and duties and regulate the transaction of the business of all such corporations and associations doing business within this State.

SECTION 1. *The People of the State of Michigan enact*, That any number of persons not less than seven, who shall be citizens of this State, desiring to become a body corporate for the purpose of carrying on upon the assessment or co-operative plan the business either of insuring the lives of members, or of providing to members indemnity for disability or death by accidents, may, by complying with the provisions hereof, become, with those that may thereafter be associated with them or their successors, a body corporate and politic. If the insurance is to accrue through the death of the insured person, the contract shall be of life insurance; if through the accidental death only or the physical disability from accident to the insured, it shall be of casualty insurance: *Provided*, That, no corporation shall be organized hereunder for both of such purposes.

SEC. 2. The persons proposing the formation of such corporation shall associate by signing articles of association in duplicate, and acknowledging the same before some officer of this State authorized to take the acknowledgment of deeds, who shall append thereto his certificate of such acknowledgment.

SEC. 3. Such article shall state:

First, The names of the persons associating in the first instance, and their respective places of residence.

Second, The name by which such corporation shall be known in law; the place in this State where its principal office for the transaction of its business is to be located and the period for which it is to be incorporated, not to exceed thirty years.

Third, The object of the incorporation ; the number of classes or divisions of members therein and the object or purpose of such classification or division ; all of which shall be definitely and correctly stated.

Fourth, In what manner and amount assessments, premiums or payments are to be required from the members ; the purposes and objects to which the moneys so realized are to be appropriated, and the names and objects of each fund into which any of such money shall be paid.

Fifth, The number of its trustees and regular officers, and the time and place of holding the annual meeting of the members.

Sixth, The ages within which members shall be accepted, and such other matters not inconsistent with this act as may be approved by the attorney general and commissioner of insurance as hereinafter provided.

SEC. 4. Upon the execution and acknowledgment of such articles the same shall forthwith be submitted to the Attorney General and Commissioner of Insurance for examination, and if such articles shall be found to comply with the provisions of this act, said officers shall respectively endorse the same with their approval, and said articles shall thereupon be filed and recorded in the office of the Secretary of State and of the clerk of the county in which the principal office of the corporation is located, and a certified copy thereof shall be filed in the office of the Commissioner of Insurance. Notice of the intention to organize such corporation shall be published for four successive weeks in some newspaper published in the county in which its principal office is to be located, and proof of such publication shall be presented to the Attorney General at the time the articles of association are submitted to him for examination as aforesaid.

SEC. 5. Upon the recording and filing of such articles as aforesaid, the signers thereof shall, with those who may thereafter become associated with them, become and be a body corporate and politic for the purpose set forth in said articles. The Secretary of State and the county clerk aforesaid, shall each certify on said articles the fact of recording as aforesaid, giving the date and book, and page of record. The original articles or the record thereof, or a copy thereof, certified by the Secretary of State, shall be *prima facie* evidence in all proceedings of the due formation, existence, and capacity of such corporation ; but such articles of association shall become void on the expiration of one year from the date of record thereof, unless a certificate of authority to do business has been issued as hereinafter provided.

SEC. 6. Such corporation shall not commence business until it shall have procured *bona fide* agreements for insurance therein from at least two hundred eligible persons to an amount of not less than one thousand dollars each and shall have received at least one assessment thereon in cash from each of such persons, according to the rate and plan set forth in its articles of association, which amount so received in cash shall aggregate at least one thousand dollars ; nor until it has fully organized by the election of the proper and suitable officers. The president and secretary of such corporation shall furnish under oath to the commissioner of insurance proof of such agreements for insurance, giving the name, residence, age and amount of insurance applied for by each applicant, and the amount of assessment actually paid by each applicant, and also proof of the election and qualification of the officers, and the custodian of the funds of such corporation shall furnish to the commissioner of insurance a certificate under oath that he has received and holds in trust for the benefit of the beneficiaries of such applicants the sum of one thousand dollars or more.

SEC. 7. Upon compliance with the provisions of this act, and upon payment of a fee of ten dollars, for the benefit of the State, to the commissioner of insurance, he shall issue to the corporation so complying a certificate of authority to do business in this State, for the period of one year from the first day of April of the year of its issue, unless the same be sooner revoked.

SEC. 8. The property, business and affairs of such corporation organized under the laws of this State shall be managed by not less than five nor more than twenty trustees, to be chosen by and from the members at their annual meeting. They shall hold office for one year and until their successors are chosen: *Provided*, It shall be lawful to designate the trustees, who shall be members, for the first year in the articles of association. If, for any reason, trustees shall not be elected at the annual meeting in any year, the corporation shall not be thereby dissolved or impaired, but an election may be held at any time within one year thereafter, to be fixed and notice thereof to be given by the secretary in the manner hereinafter specified for calling special meetings of the members; and in case of a refusal or neglect to call such election, any twenty-five members may call the same upon the same notice as hereinafter provided for calling special meetings of the members. All of such trustees shall be citizens of the United States, and a majority shall be residents of the State of Michigan.

SEC. 9. The trustees shall choose from their number such officers as the articles of association or by-laws may prescribe. They may also appoint such agents and employees as may from time to time be required.

SEC. 10. A majority of the trustees duly convened according to the by-laws shall constitute a quorum for the transaction of business. The trustees shall adopt by-laws and regulations not inconsistent with the articles of association or the provisions of this act.

SEC. 11. The books, papers, and documents of such corporation organized under the laws of this State shall be kept at its principal office, and every such corporation shall provide in its articles of association for the accumulation of an emergency fund which shall not at any time be less than the maximum amount at risk on any one life, which fund, together with the income thereon, shall be a trust fund for the payment of death claims, or other benefits provided for in their policies or certificates; said fund shall be accumulated by existing corporations within six months from the time of the taking effect of this act, and by all others from the date of their incorporation; such fund, with the increase thereof, shall be deposited, under trust deeds to the credit of the corporate name of the corporation in some incorporated bank or banks, or may be invested by the trustees in its corporate name, in such securities as insurance companies are allowed by law to invest their funds. Such corporations organized in this State, shall not have the power to take or hold real estate, except such as may be necessary for the transaction of its business, or may be acquired in the foreclosure of mortgages; and all real estate acquired in the foreclosure of mortgages shall be sold or disposed of within five years after the title has been perfected in any such corporation. Annual statements of the transactions and financial condition of such corporation shall be made at the annual meeting of its members and a copy of each annual statement filed with the insurance department of this State, in so far as it relates to the financial transactions and condition and the certificate or policy account shall be mailed to every member within thirty days from the date of filing such statement.

SEC. 12. Every person insured in any corporation organized in this State shall be a member of such corporation, and shall be entitled at all meetings of the members to at

least one vote, and may vote in person or by proxy under such rules and regulations as may be provided in the by-laws of such corporation.

SEC. 13. Special meetings of the members may be called by the trustees at any time when deemed advisable, and notice of all meetings of the members shall be given by mailing to each member a copy of such notice, postage pre-paid, and directed to his last known post-office address, at least fifteen days prior to the time fixed for such meeting, and such notice shall state the time, place, and if it be a special meeting the purpose of such meeting.

SEC. 14. Corporations organized in this State shall not take any name in use by any other organization, or so closely resembling such name as to mislead the public as to its identity.

SEC. 15. Every policy or certificate hereafter issued by any corporation organized in this State and doing business under this act, and promising a payment to be made upon a contingency of death or of disability by accident, shall specify the sum of money it promises to pay upon each contingency insured against, and the number of days after the satisfactory proof of the happening of such contingency at which such payment shall be made; and upon the occurrence of such contingency, unless the contract shall have been voided by fraud or by breach of its conditions, the corporation shall be obligated to the beneficiary for such payment at the time and to the amount specified in the policy or certificate; and this indebtedness shall have priority over all indebtedness thereafter incurred, except as hereinafter provided in case of the distribution of assets of an insolvent corporation. If the Commissioner of Insurance shall be satisfied, on investigation, that any such corporation has refused or failed to make such payment for thirty days after it became due and after proper demand, he shall proceed without delay to investigate the condition of the corporation, and shall have full power in person, by deputy, or by department examiners, commissioned by him, to examine the books, papers and accounts, and to examine under oath its officers, agents, clerks and certificate-holders, or other persons having knowledge of its business, and if it shall appear to him that its liabilities for death claims and other debts due and unpaid exceed its resources, and that it cannot within a reasonable time, not more than three months from the date of the original default, pay such liabilities in full, he shall report the same to the Attorney General, who shall, upon such report, institute proceedings as provided in section 22 of this act.

SEC. 16. Corporations organized, existing or doing business in this State under or by virtue of the provisions of this act shall not issue any policy or certificate of membership upon the life of any person over the age of sixty-five years, nor upon any person not capable in law of making contracts, nor upon any life in which the beneficiary named has not an insurable interest, nor unless the person whose life is to be insured shall have made and signed an application for such certificate or policy, and shall have undergone a careful physical examination by some physician of good repute, who shall make a detailed certificate thereof to be attached to such application, showing that the applicant is in good health, and recommending the issue of the certificate or policy applied for. Any member of any such corporation or association shall have the right at any time, with the consent of such corporation or association, and with the consent of the beneficiary if he be a creditor, to make a change in his beneficiary within the limits above specified. Such corporations shall not issue policies or certificates to beneficiaries as creditor or creditors that do not state they are for collateral security payable as the interests of such beneficiaries may appear, and in every such case said creditor

or creditors shall only be entitled to such portion of the amount insured (not exceeding the face of the policy or certificate), as shall cover the indebtedness of the member to said creditor at the date of his death, and proof of such indebtedness shall be made under oath, and the member may designate in such certificate some beneficiary within the above limits to whom such certificate shall be payable after the claims of such creditor have been satisfied. Any certificate or policy issued in violation of the above provisions shall be void as to the beneficiary therein named, but the amount thereof shall in case of death be payable to the heirs of the member.

SEC. 17. No corporation or association organized or doing business under or by virtue of the laws of any other State or territory of the United States or District of Columbia or foreign country, for the purpose of insuring lives or furnishing accidents indemnity upon the coöperative or assessment plan, shall be authorized to do business in this State until it shall have obtained a certificate of authority from the Commissioner of Insurance of this State as hereinafter provided; nor unless the State or Territory of the United States or District of Columbia or foreign country, under whose laws such corporation or association is organized, shall extend the right to such corporations in this State to do business in such State or Territory of the United States or District of Columbia or foreign country, upon similar conditions to those in this section prescribed. When any other State or Territory of the United States or District of Columbia or foreign country shall impose any obligation upon any such corporation of this State the like obligation shall be imposed on similar corporations and their agents of such State, Territory or foreign country doing business in this State. Such foreign corporation or association shall furnish to the Commissioner of Insurance of this State certified copies of its articles of association or charter, and its by-laws, together with a sworn statement of its business of the preceding year, giving in detail the same information as is required by the annual statement of corporations organized hereunder, together with a copy of its application and certificate or policy, and show that it has in force policies of insurance on which the proceeds of one assessment will pay the full amount agreed to be paid upon the death of any one member. Such foreign corporation or association shall also appoint some citizen and resident of this State its attorney upon whom all process against said corporation or association may be served and shall also agree that such service may be made upon the Commissioner of Insurance of this State, who shall be deemed its agent for that purpose, and such agent or commissioner shall immediately mail to the secretary of such corporation or association a certified copy of the process thus served. All papers above referred to shall be preserved in the office of the Commissioner of Insurance. Such foreign corporation or association shall also furnish to the Commissioner of Insurance of this State a certificate from the Insurance Department of its home State or Territory of the United States or District of Columbia or foreign country that it is authorized to do business in such home State or Territory or the United States or District of Columbia or foreign country and shall also, if the Commissioner of Insurance of this State requires it, submit to a full examination of its business and affairs by the Commissioner of Insurance of its home State or by some person designated by him, and at its own expense, and a certificate of such examination shall be furnished to the Commissioner of this State.

SEC. 18. Upon compliance with the provisions of the preceding section, and the payment to the Commissioner of Insurance for the use of the State of a fee of twenty-five dollars, he shall issue to the corporation or association so complying a certificate of

authority to do business within this State for the period of one year from the first day of April of the year of its issue unless the same be sooner revoked.

SEC. 19. No person shall within this State act as agent, solicitor, officer, trustee or otherwise in receiving or procuring applications for insurance in any assessment or cooperative corporation or association (except for the purpose of taking such applications preliminary to organization), or transact or carry on any business of such corporation or association, unless such corporation or association for which he is so acting shall then be authorized as provided in this act to do business within this State. And any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall for each offense be punished by a fine not exceeding five hundred dollars and the costs of prosecution, or by imprisonment in the county jail not to exceed three months, or by both such fine and imprisonment in the discretion of the court; and the prosecuting attorney of the proper county shall prosecute persons charged with violation of this section. If the Commissioner of Insurance shall receive evidence to satisfy him of violation of any of the provisions of this act, it is hereby made his duty to investigate the same by himself or his deputy and if, in his opinion, sufficient evidence is found to convict of such violation, to notify the Attorney General thereof and he shall cause a complaint to be entered against the person or persons offending, and the necessary traveling expenses under this section shall be audited by the Board of Auditors and paid from the general fund.

SEC. 20. The business year of every corporation or association organized, existing or doing business in this State under and by virtue of the provisions of this act, shall close on the thirty-first day of December in each year, and every such corporation or association shall, within sixty days thereafter, prepare under oath of its president and secretary and file in the office of the Commissioner of Insurance of this State a detailed statement, showing its assets and how invested, liabilities, receipts from assessments and all other sources, expenditures, salaries of officers, number of policies or certificates in force, amount insured thereby, death losses and benefits paid and amount paid on each death loss or benefit, death or accident losses reported but not paid, death or accident losses contested, and why, and shall answer such other questions as the Commissioner (who shall furnish blanks for the purpose) may require in order to ascertain its true financial condition, and shall pay to the State upon filing each annual statement a fee of five dollars for each Michigan corporation, and twenty-five dollars for each foreign corporation. The Commissioner shall publish such annual statements in detail in his annual report, and for the purpose of verifying any such statement or of ascertaining the true condition of the corporation or association making it, the Commissioner may at any time make or cause to be made an examination of the affairs of any such corporation or association doing business under this act at the expense of such corporation or association, which expense shall not exceed the necessary hotel and traveling expenses of the Commissioner and one clerk: *Provided*, That if the Commissioner find it necessary to appoint some person not employed in his office to make such examination, the corporation or association examined shall pay, in addition to the expenses above referred to, the reasonable charges of the person so appointed, not exceeding five dollars a day for the time actually employed. Any foreign corporation or association shall also furnish to the Commissioner certified copies of all changes, if any, in its organization or plan of doing business, and satisfactory evidence that it is still authorized to do business in its home State, territory of the United States or District of Columbia, or foreign country.

SEC. 21. Upon the filing of such annual statement, if the Commissioner shall find that the corporation or association making the same is still organized and doing business in conformity to the provisions and spirit of this act, he shall issue his certificate authorizing such corporation or association to do business in this State for a period of one year from the first day of April of the year of its issue, unless sooner revoked.

SEC. 22. Whenever any corporation organized, existing or doing business under or by virtue of the provisions of this act, shall fail to make the annual statement required by this act, or whenever the commissioner of insurance shall, after a full examination of its affairs, find sufficient evidence that such corporation or association is conducting its business fraudulently or not in compliance with the provisions and spirit of this act, or is not carrying out its contracts with its members in good faith, he shall immediately report to the attorney general such evidence and copies of any papers, statements or reports in his office relating to the matter. Upon receiving such evidence, papers and reports, the attorney general, if he is satisfied from the evidence, papers, statements or reports that such corporation is conducting its business fraudulently or not in compliance with the provisions and spirit of this act, or is not carrying out its contracts with its members in good faith, shall, if it be organized under the laws of any other State or territory of the United States, or District of Columbia, or foreign country, immediately notify the corporation or association to cease to do business in this State under pain of the penalties prescribed by law, and he shall also instruct the prosecuting attorney of the proper counties to prosecute for all violations of this act. But if such corporation or association be organized and created by the laws of this State, the attorney general shall at once institute proceedings, in such form as he shall deem advisable, in the name of the State of Michigan, in the circuit court in chancery of the county in which the principal office of such corporation or association is located, of which proceedings such corporation or association shall have such notice as the court shall direct, and may bring before such court all the officers of such corporation or association, and such court shall cause a full hearing to be had of all of the facts and circumstances relating to the business and condition of such corporation or association, and such court may, if it shall appear for the best interests of the members, after a full hearing as aforesaid, remove any or all of the officers of such corporation or association, and appoint others in their place until the next annual election, or may decree that such corporation or association be deemed to have forfeited its corporate existence and direct its affairs to be wound up, and for that purpose may appoint a receiver thereof and regulate and control the acts and proceedings of such receiver. Such receiver may, under the direction of the court, transfer the members of such corporation or association, who consent thereto, to some other similar solvent Michigan corporation or association to be selected by the court, or said receiver may, by order of the court, continue the business for the purpose of paying all death claims and accident benefits which have accrued at the time of his appointment, which claims shall be deemed preferred claims, and he may by such order be directed to make assessments upon all members liable therefor according to the rates and plans under which they are insured, for the purpose of paying such death losses and accident benefits and the expenses of making such assessments and of such receivership, or he may be ordered to divide and distribute any accumulated funds among the members entitled thereto.

SEC. 23. Any agent, physician or other person, who shall knowingly and by means of concealment, or false or fraudulent statements or representations secure or assist in securing from any such corporation or association a policy or certificate of membership

on the life of any person, shall be deemed to be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment in the discretion of the court.

SEC. 24. Any corporation or association whose purpose it is to insure the lives of its members or to furnish its members indemnity against accident upon the assessment plan, that may now be organized and doing business under any of the laws of this State, or that may hereafter be organized under the provisions of this act, may amend its articles of association at any regular or special meeting of the members duly called, such amendments having been concurred in by a majority of the members present and voting upon such amendment; but such amended articles shall not take effect until they have been examined, approved and recorded and filed in the manner provided in section 4 of this act.

SEC. 25. This act shall not be construed to apply to secret or fraternal societies, lodges or councils now doing business in this State, which are under the supervision of a grand or supreme body, and secure members through the lodge system exclusively, and pay no commission nor employ any paid agents; nor to any association organized solely for benevolent purposes, and composed wholly of the members of one occupation, profession, or religious denomination: *Provided*, That any society or organization named in this section shall, by complying with the provisions of this act, be entitled to all the privileges and be amenable to all the obligations of this act.

SEC. 26. Act No. one hundred and four of the session laws of 1889, entitled "An act to provide for the incorporation of coöperative and mutual benefit associations," and act number one hundred and ninety-two of the public acts of 1883, entitled "An act relating to co-operative corporations or associations organized under chapter ninety-four of the compiled laws of 1871, and repealing all acts and parts of acts inconsistent herewith, and act number one hundred and eighty-one of the public acts of 1883, entitled "An act authorizing foreign co-operative corporations or associations to transact business in this State," and all acts and parts of acts supplemental to or amendatory of any of the above acts and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed, except in so far as they apply to societies and organizations mentioned in section 25 of this act. But the repeal of the foregoing acts shall not dissolve any corporation or association now organized and existing under said several acts above mentioned or either of them, provided that such corporation or association shall be found by the Attorney General and Commissioner of Insurance, after such examination as is provided for in sections 4 and 17 of this act, to be organized and doing business in substantial conformity to the provisions of this act, or shall be made to so conform by immediate amendment of its articles of association, and such corporations or associations having been found or so made to conform as aforesaid, shall continue of the same effect and force as though the said act or acts had not been repealed and shall, from and after the taking effect of this act, be deemed to be corporations organized under the provisions of this act, and shall be subject to all the provisions hereof as fully as though such corporations or associations had been originally created hereunder, and may continue and carry on the business specified in their articles of association under the provisions of this act as if the acts mentioned in this section had not been repealed.

SEC. 27. The provisions and benefits of section 4246 of Howell's annotated statutes of this State shall apply and extend to all corporations or associations organized, existing, continued or doing business under this act.

SEC. 28. Every notice of an assessment or call made by any corporation or association organized, existing or doing business hereunder shall specify the amount to be paid; the loss or benefit for the payment of which the call or assessment is made and the time and place for the payment of the same, together with a correct statement of the mortuary or beneficiary fund showing the receipts, disbursements and balances, together with the names and amounts of all payments made to beneficiaries since the last assessment. No funds or moneys received or collected by any corporation or association organized, existing or doing business hereunder, for the purpose of paying or providing for the payment of death losses or accident indemnities shall be used or paid out for any other purpose whatever.

SEC. 29. The proceeds of any certificate or policy issued by any such corporation or association, except such as are expressly made payable to a creditor or the legal representatives of a member, shall be payable in case of death or accident to the beneficiary named therein free from all claims of the representatives of such member or of any of his creditors.

Your committee, in the performance of its labors, have visited the offices of eighteen associations, and have taken the testimony of forty-three witnesses. The offices visited were in the following order, viz:

File No.

34. The People's Co-operative and Mutual Benefit Society of Battle Creek.
44. The Old People's Life Insurance Company of Jackson.
36. The Southern Michigan M. B. Association of Union City.
41. The Loyal Life Association of Reading.
8. The Michigan M. B. Association of Hillsdale.
46. The Old People's M. B. Society of Benton Harbor.
4. The Masonic M. B. Association of Western Michigan, Grand Rapids.
43. The Industrial M. B. Association of Corunna.
16. The Peninsular State M. B. Association of Ithaca.
18. The Detroit M. B. Association of Detroit.
14. The Commercial Mutual Association of Detroit.
3. The Union Mutual Association of Detroit.
37. The Universal Relief and Indemnity Association of Detroit.
12. The Western Union Life and Accident Society of the United States, Detroit.
10. The Central Michigan Life Association, Marshall.
39. The Standard Life Association, Marshall.
43. The Equable Mutual Life of Lansing.
50. The Protective Life Association of Lansing.

Reference is made to the tables on pages — of this report for the condition of these companies December 31, 1886.

THE PEOPLE'S COÖPERATIVE AND MUTUAL BENEFIT SOCIETY OF BATTLE CREEK.

Your committee visited the office of this company on March 23, and found the office in charge of the secretary and attorney of the company.

When they began business, March 9, 1885, the company divided its members into two classes, the dividing line being at the age of 50 years, but now it has but one class.

The following is their plan of insurance, as embodied in their published circulars:

This society has but one class, viz., senior, and any person, either male or female, between the ages of 18 and 81, may, by complying with the rules of the society, become a member thereof.

Certificates of membership will be issued by this society to persons between the ages of 18 and 75 who have passed the necessary medical examination, for not less than \$1,000 or more than \$2,000 each, on any one life and to persons between the ages of 75 and 81 for \$1,000 each.

Each person joining the society will be required to pay in advance a membership as follows: For \$1,000 insurance, \$10; for \$2,000, \$15.

Assessments are graded according to the age of the person at the time of becoming a member, ranging from 70 cents on persons from 18 to 50 years to \$4 at the age of 81.

When satisfactory proofs of a death of a member have been filed at the home office of the society, an assessment notice will be duly stamped and mailed to each member of the society requiring each to pay the amount of one assessment, as will be shown by such notice and also by reference to their respective certificates, within thirty days from date of such notice, and any member whose assessment remains unpaid after the lapse of said thirty days, shall forfeit his certificate of membership.

Out of the amount collected for each assessment, eighty per cent thereof shall be placed in the mortuary fund and used to pay death losses only, and no assessment will be made so long as there is a sufficient sum in the said mortuary fund to pay a loss in full. The balance, twenty per cent, shall be placed in a sinking fund and used to defray the expenses of the society.

The application and the certificate issued thereon shall constitute the contract between the insured and the society, and if death occurs within one year from date of such certificate, the society will thoroughly investigate it; but all deaths that occur after one year from date of said certificate, except on those reinstated, shall be incontestable.

Any person whose certificate of membership has been forfeited, may be reinstated at any time within six months from date of forfeiture, by furnishing the medical director with satisfactory proofs of good health and paying the society the full amount of the arrears.

All death losses will be paid in accordance with the contract between the applicant and the society within ninety days after due notice and proofs of death having been received and approved by the board of trustees and filed in the home office of the society at Battle Creek, Michigan.

The actual value of policies is determined by the length of time the insured has been a member of the company, to wit: In case death occurs within sixty days from date of certificate, the society agrees to pay the beneficiary, his heirs or assigns, the amount actually paid to the society, with 10 per cent added. If after sixty days and within eight months from the date of his certificate, a sum not to exceed one-eighth of the amount named in his application; if after eight months and within sixteen months from the date thereof, a sum not to exceed one-half of that amount; if after two years and within two and one-half years from date thereof, a sum not to exceed three-fourths of that amount; if after two and one-half years from date thereof, a sum not to exceed the full amount named in his application. Every beneficiary must be either a blood relation, a member of the same family or a creditor of the insured.

The company has entered into a seven years' contract with its secretary by

which he is to perform all the duties of secretary and pay stated expenses for 10 per cent of the assessments collected. The remainder of the expense fund, after paying certain expenses, is to be divided between the six officers of the company.

The persons whose lives are insured are considered the members of the society but the persons named as beneficiaries in certificates of membership are allowed to vote at the annual meetings of the society. At the last annual meeting the officers state that probably twenty per cent of those present at the meeting were members, and the remaining eighty per cent were beneficiaries.

The assessments which may be made are only limited by the number of death losses which the company is called upon to pay.

The secretary testifies that he has power under the laws and rules of the society to cast the votes of all the absent members, thereby constituting himself the absolute proprietor of the company to all intents and purposes.

The average age of its members is stated in the annual report as being fifty-one years. But the secretary testifies that he made that up by computing the average or mean of the extreme ages at which they are allowed under their articles to insure. This statement in the report is false and calculated to deceive, for your committee from an examination of the registered ages of actual members of the society found that the actual average age of the members in the society is about seventy years instead of fifty-one years.

The by-laws of the society require that assessment notices shall be sent to the members thereof. But from an examination of several hundred applications your committee find that nearly 95 per cent. of the assessment notices are sent to the beneficiaries named therein. The same examination reveals the fact that in a very large proportion of them the signatures of the supposed applicant for insurance seemed to have been written by either the beneficiaries or the agents, and not by the person purporting to have signed them.

The trustees of this society are said not to have met over three or four times since its organization. No record book is kept of their meetings, nor is there any record of annual meetings. The only written evidence of such meetings is such as is contained upon a few loose sheets of paper filed in the office.

The books of the business of this society are meager in the extreme—they simply consist of two index books containing the names of the members, and a number of loose sheets of paper, kept upon a table in the office, which the officers call their "Register." On these is entered the number of each certificate, the name, age and residence of the insured, date of insurance, name and postoffice address of beneficiary, and a column at the head of which is a number purporting to correspond with the numbers of the assessments, in which column is made a check-mark when the assessment is paid, but no amount of money is entered therein. No cash account, ledger account, or other account is kept with the members of the company. No cash account is kept by either the secretary or treasurer. When a person pays or remits money for an assessment a small printed check is filled out, and the only record of any kind in the office of cash received is what is contained upon these loose checks.

The secretary and attorney (who acts as assistant treasurer) collect all moneys and pay all losses. The money is put in bank by either one of them, and a certificate of deposit taken in their own individual name by the person depositing it.

The treasurer himself has never received or handled any of the funds of the society. According to the testimony of the secretary and the attorney it would seem that they constitute the company so far as the executive work is concerned. They receive all the money, they deposit it in their own private names, they pay it out, they have no ledger account, they have no cash books, and the only way that the members of the company or the examining committee of the company have of determining the condition of things is by reference to the sheets of paper composing the register and the little checks spoken of. There is no record of the amounts of money paid out of the mortuary fund excepting a receipt upon the back of the policies paid, and the narrative statement which is published upon the assessment notices sent to the members. The officers publish what purports to be the report of a committee which was appointed at their annual meeting March 14, 1887, to examine the books and records and present condition of the society. But the officers testify that the only way the committee had of determining the amount of funds that the company had received would be to go through the sheets of paper on the table and to examine the little slips called checks, which they had received from members of the company at the time they paid their assessments, and the only way they have of determining the amount paid out would be to examine policies returned and the statement upon the assessment notices.

Upon the question being asked them as to how they determined the amount of an assessment at the expiration of the time limited for the payment, when the assessment is closed, they stated to your committee that they counted the amount of cash they had and that was the amount of the assessment. Upon being asked if he could tell from anything on file of a record nature what the gross amount of the fifteenth assessment was, the attorney produced a paper as follows:

Expense account.....	\$59 72
Cash hand, Clapp.....	285 19
Officers' assessments.....	48 05
Drafts, orders, express, and notes.....	1,331 48
Reynolds, taken in.....	1,001 31
	<hr/>
	\$2,675 75
Twenty per cent. same.....	535 15
	<hr/>
	\$2,140 60
Net amount the 15th assessment.....	\$1,950 00
Net amount re-instatements.....	190 00
Balance on the 13th and 14th assessments.....	416 04
	<hr/>
	\$2,546 04
We pay M. Rice.....	\$1,000 00
Mrs. Parker.....	1,000 00
Joseph Gilford.....	16 50
	<hr/>
	\$2,016 50
	<hr/>
	\$530 14

Among others your committee examined one of the agents of this company and from his testimony developed the fact that he procured the application of an old man for insurance in favor of his (the agent's) wife, for two thousand dollars. The insured man was not a relative of either the agent or his wife;

he testified that his wife obtained the insurance for speculative purposes. The policy was afterwards assigned to the medical director of the company. The assessment notices on that policy were all sent to and paid by the agent. The old man died, and the amount due upon the policy, five hundred dollars, was paid by the company to the wife of the agent, who was a sister of the secretary of the society.

THE OLD PEOPLE'S LIFE INSURANCE COMPANY OF JACKSON.

The visit of your committee to this company was made on March 25th.

This company was organized and began business January 9th, 1886. It was organized for the purpose of insuring the lives of persons between fifty and eighty years of age, although they receive them from the age of twenty-one by their paying the same rate of assessment as those of the age of fifty. The youngest member they have is thirty-four. The amount of the assessment that each member is to pay is graded according to his age at becoming a member. It issues insurance on persons under sixty years old not to exceed four thousand dollars; over sixty and under seventy not to exceed three thousand, over seventy and under seventy-five not to exceed two thousand, and over seventy-five and under eighty not to exceed one thousand dollars. The membership fee charged is ten dollars for the first thousand dollars of insurance, and five dollars additional for each thousand over one thousand. Persons seeking insurance can procure it with this company by making application upon the printed blank furnished by the company, and "furnishing a certificate of good health satisfactory to the medical director."

In the payment of losses they divide their business into pools of three months each, commencing with the first three months of the year, and the payment of the losses that occur in the time of a given pool are paid by the assessments made during that pool. If it should require more than one assessment to pay the losses in a pool and pay them in full according to the agreement in the policy, then they are authorized to make additional assessments, but in no case can they make to exceed three assessments in any one pool.

The amount due upon any policy is determined by the articles of association, as follows:

"It is further agreed and understood that if the death of the assured shall occur within six months from the date of the policy issued on the life of said assured, then the amount thereon paid by the company shall be twice the amount paid to the company, or its agents for this insurance, and if death shall occur after six months and within one year, then the amount paid thereon shall be three times the amount paid to the company or its agents for this insurance, and if death shall occur after one year and within two years, then the amount paid thereon shall not exceed one-fifth of the amount named in the policy, and if death occurs after two years and within three years then the amount paid thereon shall not exceed two-fifths, and if death occurs after three years and within four years then the amount paid thereon shall not exceed three-fifths, and if death occurs after four years and within five years then the amount paid thereon shall not exceed four-fifths, and if death occurs after five years then the amount paid thereon shall not exceed the full amount named in the policy, but not in any event to exceed a pro rata share of all the money collected for the mortuary fund from the three assessments from all the paying members, together with a pro rata share of the money remaining in the mortuary fund from previous assessments, and it is specially

agreed and understood that at no time shall the company make to exceed one assessment a month, and that the losses occurring in the three months of the year beginning with the first three months of the year, shall be paid by the assessments levied in the same three months, and all money remaining in the mortuary fund after the payment of each three months' losses in full, shall be held as a reserve fund, and shall be used in the payment of losses only when the amount collected for the mortuary fund from three assessments on all the paying members in three months shall be insufficient to pay the losses of said three months: *Provided*, That this fund shall not be allowed to increase beyond ten thousand dollars, and all money accumulating in this fund in excess of ten thousand dollars shall be used in the payment of current losses: *And provided further*, That the trustees shall have the power at any time to use any part of the amount so held in the payment of losses instead of making an assessment therefor."

From the evidence obtained by an examination of the files of applications and the officers of this company your committee ascertained that it was the common practice with this company that the person named as beneficiary in the applications shall execute the medical certificates attached thereto, an examination of 47 applications revealing that in 38 of them the medical certificate was signed by the beneficiary. The secretary and general agent of the company both stating that they prefer to have them signed in that way in preference to their being made out and signed by a physician.

The secretary of the company testified that they required applications to be signed by the party who is to be insured. But the facts developed upon his examination did not bear out that statement. Applications were found in the files which were signed, in the blank provided for the signature of the person to be insured, by the beneficiary and in his own name. Applications were found for the insurance of people living outside of this State in which the beneficiary named was the secretary of this company, in relation to which the secretary testified that he signed the names of the applicants and that he filled out and signed the medical examinations thereto. The secretary also carries insurance in this company for his own benefit upon his brother's wife and several other parties under the claim that they are debtors of his.

Another similar instance was that of an application for insurance upon the life of one Peter Zuber in favor of Amanda Evelind. The name of Peter Zuber to the application purported to have been signed by B. M. Evelind and the medical examination thereon was signed B. M. Evelind, and there is no pretense that B. M. Evelind was a medical man. The evidence tended to show that he was simply the husband of the beneficiary named.

THE SOUTHERN MICHIGAN MUTUAL ASSOCIATION OF UNION CITY MICHIGAN.

Your committee, on visiting this association on March 24, found the secretary absent and the office in charge of a book-keeper who gave the committee all the information in his power.

The articles of incorporation under which this company is operating, were filed with the secretary of State, May 21st, 1885. We quote from them sufficiently to state their plans of insuring.

The objects of this corporation shall be to secure by fixed monthly assessments upon the members thereof, a sum of money to be paid to the husband, wife, family, heirs, creditors or assigns, as may be designated in the certificate of membership, upon the death of such member, in the manner more specifically hereinafter described. And for this purpose there shall be but one.

class of beneficiaries, but assessments shall be graded according to the age of members, in accordance with the assessment table hereinafter set forth.

Any person, of either sex, between the ages of 19 and 82, may become a member of this association.

The applicant shall make an application according to the form furnished by the corporation, and shall pay a membership fee of ten dollars for the first one thousand dollars of insurance, and five dollars for each additional one thousand dollars of insurance. Such applicant shall submit to a medical examination which shall satisfy a medical director that the applicant is a desirable risk. And in case any member shall die within thirty days from the date of his or her certificate of membership, then in that case the beneficiary shall be paid only the amount paid to the corporation by the applicant.

And in case of the death of a member at any time after thirty days from the date of his or her certificate of membership, the beneficiary named in such certificate of membership shall be paid for his or her *pro rata* share of the mortuary fund on hand at the end of the month, not exceeding the amount named in such certificate of membership.

Assessments are made monthly on the first of each month, upon each and every member, upon a scale graded according to the age of the member upon joining, and remain the same during the continuance of the membership.

Any member who shall be delinquent in the payment of his or her monthly assessment and annual dues after thirty days from the date of notice of such assessment and annual dues shall be suspended from membership in the company, and his or her certificate shall be null and void.

Seventy-five per cent of the amount collected on every assessment shall constitute a mortuary fund, to be divided *pro rata* among the beneficiaries of the deaths that may occur among members during the month, and in case no deaths shall occur in any month such per cent assessments shall accumulate in such mortuary fund until deaths do occur, and all deaths occurring during any one month shall *pro rata* in the distribution of the mortuary fund then on hand; but no beneficiary shall receive more than the amount stated in the certificate of membership. And no certificate of membership shall be issued for more than the sum of three thousand dollars.

Each member shall annually, on the first day of October of each and every year, pay to the secretary the sum of one dollar on each thousand dollars named in his or her certificate of membership, which sum, together with twenty-five per cent of all sums collected by the regular monthly assessments, may be used for defraying the expenses of such corporation, and no assessments shall be made for the purpose of paying salaries or other expenses, and no other charge or assessment shall ever be made upon any member other than herein provided for.

To exhibit the conduct of the business of the company, we take the liberty of quoting largely from the examination of the attorney of the company. Upon oath he said:

"We have, by resolution of the board of directors, instructed the managing officers of the company first, not to insure anybody over 75 years of age, and only to insure persons over 70 years of age and under 75 for the sum of one thousand dollars; second, at the annual meeting of the board of directors we passed another resolution instructing the officers of the company not to issue policies or take any members over the age of 70 years. That, I think,

is all the change that has been made in our plan or system of doing business. We are now writing insurance upon persons between the ages of 21 and 70 years. We reduced the age because, in our judgment, the business could not be profitably done to the members of the association by carrying men over 70 years of age, for the reason that such risks are exceptionally hazardous.

"Seventy-five per cent of all assessments is put into a mortuary fund, and divided between the deaths according as they occur. If no deaths occur in a month 75 per cent of the assessment collected for that month is passed to the mortuary fund of the next month, and so on until such deaths do occur, and then divided pro rata among the beneficiaries of the deceased members.

"We do not promise to pay the beneficiary any specific sum. He has no assurance that he will receive any specific amount, he simply take his chances.

"The person whose life is insured is the member of the society. The beneficiary is the person for whose benefit the insurance is taken. In about nine cases out of ten the assessment notices are sent to the beneficiary. My impression is that it is the practice of the co-operative companies that the beneficiaries in a large portion of the cases pay the assessments. We always send the notices of the annual meetings to the members."

Q. I understand that it is the attempt upon the part of your company to confine your business to the age of 65, or under the age of 65?

A. I will state that in this way, as I have said to you before, that we were perfectly willing that a law should be made limiting the age to 65 years, and we would conform to that cheerfully. In fact it was my judgment, and the judgment of our company, that it ought to. I believe that coöperative insurance taking members over 65 years of age becomes a sort of moral fraud on persons of a younger age. I stated to you also that if the Legislature thought it wise and prudent to put the age down to 60 we were perfectly willing.

Q. You would be perfectly willing to conduct your business on that basis?

A. Yes, and while I would not actively urge a bill to put it down to 65 years of age, at the same time I would not oppose a bill to that effect. My experience and my observation is that the moment you get up to those extreme ages a coöperative life insurance becomes, not a legal fraud but a sort of moral fraud on younger members. When men get to be 70 or 75 or 80 years of age they are dying so fast that they have no perceptible expectancy of life. I believe that with old line companies the expectancy at 80 is said to be about four years, and a party of that age would have to pay some \$240 on \$1,000. Our experience would be that nearly all our losses occur on over 70 years of age. It may not be a question of public policy entirely. It has been contended to me that it was a constitutional right, but I do not know of any constitutional provision that it conflicts with at all, but I think it is a question of public policy entirely, and I think that public policy is on the side of reducing age.

Further than that, as I said to you before, I think that the Legislature ought to require the application to be signed in person by the party requiring to become a member, just as your bill provides. Further than that I think that there should be a medical examination by a reputable physician in every case, and even then you will get bitten in spite of all you can do and the system provided for in the bill pending now, of which you are the author, providing for a judicial investigation into the affairs of a company when suspected of doing a fraudulent business is a very fine thing. There is

no provision made for an investigation by the commissioner, and the law necessarily must be imperfect, as there is no judicial method provided for it.

That is the way this company stands. While we would not spend any money for defending a bill or fighting a bill and we have incurred the hostility of all these companies, every one of them, in fact, because we would not contribute to that pool down there to defeat the bill.

Q. How many companies are in this compact you speak of?

A. I don't know. They had a meeting at Jackson, and Mr. Bond and I went down. We had a meeting of our directors a short time before that and the question came up, and we were instructed that if the meeting was, in our opinion, for the purpose of bringing about reform in coöperative life insurance, reforms similar to what I have been talking about and that we have discussed, to go in and favor it, but if it was for the purpose of fighting reform to stay out. We went down there and saw the character of the men and the companies who met there and we staid out. And there is where the pool was made that are fighting the bill.

Q. You understand that compact was made for the purpose of fighting legislation?

A. Opposing legislation of the character that is before the legislature now.

Q. In your judgment has an average person of 70 years an insurable interest at all?

A. Yes, but it is very slight.

Q. Has the average person of 70 years of age any one that is interested, that has a pecuniary interest in the continuance of his life?

A. If I gather your meaning, I should say no.

Q. My construction, and I think the construction of the courts of an insurable interest is, such an interest as would receive a pecuniary benefit by the continuance of the life of the insured?

A. Oh, there might be such a case as that.

Q. Well, there is such a case. There might be such a case where a person under the age of 70 years had occupied the relation, but it is not apt to be the case.

A. Well, some other person might be a dependent upon him, but ordinarily and generally not.

A. I do not know that I understand what you mean by an insurable interest.

Q. An insurable interest is such a one as that the beneficiary has a pecuniary interest in the continuance of the life of the person whose life is insured. For example, a wife has a pecuniary interest in the continuance in the life of her husband. A creditor has a pecuniary interest in the life of his debtor. In many cases a partner has a pecuniary interest in the continuance of the life of his partner.

A. I get your meaning now. I should say it would be a very rare case where any person would have an insurable interest in the life of a person seventy years of age, and a good deal younger than that too.

Q. Then it seems as if an insurance upon the life of an individual of the age of seventy years and upwards would be without insurable interest?

A. That is it exactly, against sound public policy.

Q. In your judgment is not the business, as now conducted in Michigan, under our statutes relating to that subject, against public policy?

A. I should say it was, taken as a whole. I want to make this limitation, I believe there are insurance companies that are trying to do a legitimate business in the State of Michigan.

Q. In your opinion, are a majority of the companies doing a coöperative business doing a legitimate business?

A. A majority of the companies that have done business within the limit of my observation, in my observation are not doing a business that is sound public policy.

Q. If the business is to be carried on in the future as in the past, it would be better in your judgment, that coöperative insurance be done away with entirely in this State?

A. That is my candid, honest judgment. I take everything into consideration. There are some good companies outside of the State that are doing business in the State; but taking the whole business together, I think the State better do away with the whole than to continue it without some further limitations than they have now. There is no question about it at all. Still I honestly believe that sound coöperative insurance is the best and cheapest insurance a man can carry.

Q. What is the tendency of it under our present statutes?

A. The tendency is towards reckless, wildcat insurance. Speculative insurance.

Q. Gambling upon human life?

A. Yes, sir; and the drift is almost irresistible in that direction. The tendency is to get old people exclusively. The tendency is to get insurance surreptitiously, by concealing the fact from the insured. In quite a number of ways I think the tendency is vicious. There is a temptation in that direction all the while. In the first place, you cannot get the most responsible and reliable class of men to go out and act as agents.

Q. The agents of co-operative insurance companies then, are general of a disreputable character?

A. No. I would not make the statement as broad as that. They are generally not of a first class character. I have known of fine gentlemen that are operating in co-operative life insurance, as fine as there are in the State; but I know quite a number that I do not think are that kind of men at all. I do not understand by these medical certificates upon the applications that there has been a personal examination of the applicant in every case, but there must be a knowledge of the party so that the physician can state upon his honor the condition of the person. There are two forms used, one for a personal examination and one where there is not. It is not the practice of the officers of this company to accept applications when the name of the applicant is signed by the beneficiary.

[The attorney was here shown sixty-five applications taken in the village of Chelsea (among which were three for insurance upon the life of Senator Gorman's mother and which were not signed by her), out of which number but thirteen were signed by the person insured, but actually signed by the beneficiary in his own name in the place of the applicant.]

A. No policy ought to have been issued upon such an application.

Q. Then your company is doing an illegitimate business in that respect?

A. Yes, that is certain. I will confess it, I have got to.

Q. These I just selected, I did not go back later I think than June, 1886, and I don't know how many more you have of the village of Chelsea and vicinity previous to that date.

Of these 65 applications I have counted them over carefully and I find that but four of the insured receives the notice.

A. I think that the notice would have to go to the parties who paid the assessments. In other words, the position that I take is this: That I see no reason in public policy why, if I consent to let somebody else carry insurance on my life, why I cannot do it, and I see no reason why I should not do it. Then of course the party carrying the insurance on my life would pay the assessment, and the assessment notice would be sent to the person who paid it. Still I do not approve for a single moment, and this is the first time that I have known that our company, except in one case, that we had issued any policy except in accordance with the draft of the certificate of authority that I read to you. I have supposed that the business of the company was conducted in that way, and this thing is entirely new to me and I did not know that there was any such business as that being done, and I can say that it won't be done any more if this company continues to do business.

Q. Do you not actually believe that the great percentage, 75 per cent we will say, of these 65 policies, are carried in entire ignorance of the assured?

A. I can say that I am prepared to believe almost anything since the statement you have made to me.

In one application which had been approved by the medical director for insurance upon the life of an old lady, the name of the beneficiary, a man appeared as the person whom the examining physician had examined, and the beneficiary had signed the medical examination with his own name.

The medical examiner of this society gave it as his opinion that not over 50 per cent of people over 65 were safely insurable, and stated that at the last annual meeting of the company he offered a resolution to reduce the age to 65, but it was amended and passed at 70, and that it would better serve the purpose for which companies were organized if they were not allowed to insure persons of over 60.

The treasurer of this society testified that he was a banker; that the money of the society that was brought to him by the secretary was deposited to the credit of himself as treasurer on the bank books; that he did not keep any books for the society as treasurer; that he had never given a bond as provided by the by-laws; that the bank was responsible all the time to the society and that he never had personal control of any of the moneys; that the bank book showed at any time the condition of the society fund, and that that was the reason why he had never opened any separate set of books for the society. That he had made annual and monthly statements of the funds in the treasury and that it was the practice of the society to exhaust the mortuary fund every two or three months, and that only a few hundred dollars ever accumulated in the treasury at any one time.

Your committee are informed that since this visit to this company they have by resolution passed by their board of trustees ordered that all policies issued upon applications upon which the name of the applicant appears to have been written by other than the person to be insured shall be cancelled.

THE LOYAL LIFE ASSOCIATION OF READING.

On March 25th your committee arrived in Reading and proceeded to examine into the management and business of this association.

They found the secretary of the company absent from town and the office in charge of a person acting under a power of attorney from the secretary, in the capacity of assistant secretary.

The articles of incorporation under which this company are doing business

were filed August 26, 1885. We give their plan of operations as stated in their circulars published for general distribution.

The object of the Loyal Life Association is to furnish life insurance at its lowest possible cost to males and females in good health, from the ages of twenty-one to eighty-five, on a plan that is equitable, just and permanent to all its members, young or old, all being in one class and each paying according to age, as shown by the American Mortality Table; thus each member joining has the same interest and helps to strengthen the association. Each \$1,000 provides that in case death shall occur within one year from its date, the amount paid thereon shall not exceed \$200; if after one year and within two years, \$400; if after two years and within three years, \$600; if after three years and within four years, \$800. If death occurs after four years from the date of the certificate the amount paid thereon shall not exceed one thousand dollars, under the following guarantee clause:

That the association shall at no time, or under any circumstances, make to exceed one assessment in every two months, and the losses of each alternate two months of the year, beginning with the first two months and so on, through the year, shall be paid by one assessment collected during the same two months. But, should the losses of any two months amount to more than eighty per cent of the amount received by the association on such assessment, then, and in every such case, eighty per cent of the amount so received by the association shall be divided *pro rata* among the beneficiaries of said two months' losses, and the amount so divided shall be received and accepted by such beneficiaries as full payment of the certificate or certificates upon which losses have occurred as aforesaid, and when there is money enough in the mortuary fund to pay all the losses in full of any two months, then no assessment will be made for such two months. All losses shall be considered as having occurred at the time when the proofs of death are received by the association.

There will be but one division or class, and thus each one joining strengthens the entire association.

The beneficiary must be a relative or possess some other insurable interest.

Assessments are determined by the age at time of insuring, and remain the same during the continuance of the certificate.

Any person, male or female, between 21 and 85 years of age, of sound mind and body and in good health, may become a member of this association by making application according to the prescribed form furnished by the association, answering satisfactorily all questions as to health, habits and family history contained therein, furnishing a physician's certificate of good health, agreeing to pay all assessments necessarily made against them, and paying the required membership fee.

A membership fee of ten dollars for the first thousand and five dollars for each additional thousand will be charged all members over sixty years old, or under, to be paid but once. But in no case will the association take to exceed \$4,000 or less than \$1,000 on any one life.

It is not absolutely necessary that the party insured go before a physician, but the application must be taken to a reputable physician and one acquainted with the condition of the party insured.

All assessments must be sent to the secretary within twenty days from date of notice, and any certificate upon which any assessment remains unpaid beyond that time shall be declared forfeited. But any person whose

certificate has been forfeited may be reinstated at any time within one year by furnishing proof of good health and paying a restoration fee to the amount of arrearages at time of restoration.

This company began business September 14, 1885. Up to January 1, 1887, it had written 5,300 policies, and during the month of January, 1887, it wrote 963 new policies, and during the month of February, 1887, 1,332.

To ascertain the practical workings of this association your committee examined the files and records of the office at great length, and took the testimony of the officers present, and other available testimony.

In practice, this company does not require a medical examination of applicants for insurance, although upon the blank applications which they furnish is a printed form headed "physician's certificate," in about the same language as used by other companies of this kind. They only require a statement showing the party to be in good health and answering all questions in the so-called physician's certificate "satisfactorily to the medical director." This statement is allowed to be made by the beneficiary and in some cases to be made by the applicant himself. The company has no regular rule in that respect. The general superintendent of agencies of this company was examined as to the manner in which the association secured its members, and on being asked if they interviewed the people whom they wished to become applicants for insurance, he answered that they did not always do so; that if he asked a man to take insurance and he said he had some old person that he would like to insure he would tell them that was all right and the party would make the application, and the party spoken to would either have the person to be insured sign the application or sign it themselves, per their own name. He further stated that he always gave them to understand that they must never sign it for the applicant without the knowledge of the party to be insured.

As bearing upon the truth of this testimony your committee examined a witness who stated that he was an uncle of the superintendent of agencies; that he was asked by his nephew to take out an insurance upon his life in this association and that he refused, that he did not consider the company responsible or any man connected with it responsible for a dollar. Afterward the agent induced the uncle's wife to take out an insurance on the old man's life. On being shown the original application he stated that he thought his name was signed to the application in the handwriting of his nephew, but that the medical examination was signed by his wife. The assessment notices in this case were directed to be handed to a third party residing in Reading.

An examination of the applications on file in this office shows that very few of the applications bear the appearance of having been signed by the applicant in person, but the name of the applicant appears to be sometimes in the handwriting of the agent procuring the application, and sometimes in a handwriting bearing a marked resemblance to that of the purported beneficiary.

The officers state that their manner of making up the mortuary fund of their association is first, to take from the gross assessments paid, a three per cent collection fee, and then to take twenty per cent for the expense fund, and the balance left is the mortuary fund. Upon an examination of the articles of association filed with the Secretary of State your committee find nothing in them warranting the deduction of a collection fee as a separate item of expense to be charged to the members of the association.

Some of the officers stated that there was a resolution passed by the board

of trustees authorizing them to take out three per cent of the gross amount of assessments for collections, but there is nothing in the record book of proceedings of the board of trustees showing that any such resolution was passed, and one of the ex-trustees of this association, whom your committee examined, testified that he never had heard of any such resolution being passed. Another claim of authority for the taking out of three per cent was that in some place in the by-laws it was stated that eighty per cent of the assessments "received at the home office," shall constitute the mortuary fund. An examination of the books of account in the office upon this subject showed that this three per cent was not taken out of the first four assessments made by this company, but that a full eighty per cent of the assessment actually paid by the members was carried to the credit of the mortuary fund, but upon the closing of the fifth assessment this practice was begun and has been followed in every assessment made since.

. As an example, one of the latter assessments shows that there was deducted from the gross amount of the assessment paid the sum of \$349.18 as the three per cent collection fee. This appears in the cash account. As the management pay their collectors three per cent of the amount collected by them for the collection of the same, it is necessary that there should be a counter charge to keep their cash account straight, and in this particular case there is only charged up as being paid to collectors \$252 13, showing that the officers had charged their members three per cent collection fee upon the amount which the members paid directly into the office of the association, in this one case amounting to \$96.05, eighty per cent of which should, in strict justice, have gone to the mortuary fund. Thus it is that the managers of the company instead of deducting only twenty per cent for the expense fund first deduct three per cent and then twenty per cent for the expense fund.

The board of trustees of this association by resolution August 22, 1885, appointed three of its members general agents to take charge of and manage the business of the association for thirty years according to the term of a contract at that date entered into. This contract is said to have been made prior to a license being granted this company. Whether that contract was to go out of existence without anything being done under it does not clearly appear, but on July 6th, 1886, the board of trustees passed a resolution ratifying a contract said to have been made at some time prior to that date between the three general agents before appointed, and allowing another party to be taken into that compact. It was stated by the officers that this resolution was intended to renew a contract that had been made before that time without any authority, and in response to a request for a production of that contract, purporting to have been made December 12th, 1885, between four gentlemen in which they agree to form a partnership for the purpose of conducting, controlling and managing the general agency affairs of this company for thirty years, each agreeing to contribute to the funds in the first instance \$56.29, and such sum thereafter as might be found necessary to carry on the business, each of the parties agreeing to devote his time, influence and attention to the business, and all profit be divided equally, and all expenses and losses to be borne equally by each party. A supplemental contract was attached to that, providing that in view of the fact that only two of them had devoted their time to the business, that those two should receive a salary of one thousand each per annum. Also a further supple-

mental contract by which one of the contracting parties withdrew from the partnership and the present assisting secretary was substituted in his place.

It was testified that the price agreed to be paid by the assistant secretary for a quarter interest in this contract was two thousand dollars. The two persons referred to now receive the salary stated in the contract, one being the secretary of this association and the other the superintendent of agencies, and the assistant secretary receives for his services sixty-five dollars per month. After the paying of these salaries and all other expenses of conducting the association the remainder of the expense fund is divided equally between the four partners. No firm books appear to be kept, but the business of the firm and of the association appear in some degree to be merged upon the books of the association. At least the division of profits is entered upon the association books. In this connection the ex-treasurer of the association stated in his testimony that he always supposed that the managers owned the institution, and it ran and had the profits. He also testified that he supposed that the secretary paid over to him 80 per cent of the assessments and that he never knew anything at all about the expense fund, that fund not being paid into his hands by the treasurer of the association.

"Any member failing to pay his or her assessments on or before the day when due, shall be dropped, and from and after that date his or her certificate shall be void. But such dropped member shall be restored by furnishing satisfactory proof of good health and paying a restoration fee, to be applied to the expense fund, equal to the amount of arrearages at the time of restoration." Under this seemingly innocent provision of the by-laws, which was not contained in them originally, but is a subsequent invention, a source of great profit has arisen to the firm managing this business. The practice of the managers is to close an assessment promptly upon the day on which it was due, and any money coming into the office upon that assessment after that time is re-christened a "restoration," and it is put into the expense fund, which belongs entirely to this firm of general agents. It takes three or four days after an assessment is closed up to foot it up and make a computation of the amount, but in the meantime no money which may happen to have been delayed in the mail or otherwise, which comes into the office during that time is credited to the assessment, but is put directly into the expense fund as a restoration.

Immediately on the closing of the assessment a notice is sent, not to the insured member, but to the beneficiary in each policy which has been dropped by reason of that assessment not having been paid, inclosing a blank application for restoration, which the party is expected to fill out and sign himself as beneficiary, stating the good health of the insured person and inclosing the amount of the arrearages, which amount is treated as a restoration, and as belonging to the firm, as before stated. Now, to illustrate the beneficial results to this partnership from this method of treating money which should in justice to the members go into the mortuary fund, an assessment was closed December 31, 1886. The amount of money coming in to the office during the first ten days of January, during which time it could not be reasonably expected that the parties would have received the notices of lapse, made their application for restoration and remitted the money for that purpose, was \$136.30. The total amount of money paid which the firm called restorations, in January and February, was \$390.15. Another assessment closed the last of February, 1887. The books show that during the first five

days of March following, there came into the office \$58.60 which was treated as restorations, and that the total amount of such restorations coming into the office during the month of March to this date, the 24th, is \$337.13, making a clear profit to this copartnership so far during this year from that source of \$727.28.

Death claims are audited and ordered paid by the board of trustees at their meetings held for that purpose. They only audit such claims as are presented to them by the secretary of the company, and they take no pains to ascertain, by an examination of the files in the office, whether all the claims which should be submitted to them are in fact laid before them at the proper time. In passing upon these claims no attention is paid to the application therein to see whether any fraud has been practiced upon the association, and the question as whether there is an insurable interest existing between the beneficiary and the insured is not considered at all.

Among the death losses paid by this company is one where the insurance was obtained upon a man aged 84 years. The application stated that the "beneficiaries are not relatives of the insured. The insurance was taken October, 1886, and the party died February 12, 1887." There were two policies on his life for \$1,000, and the beneficiaries received \$179.80 on each policy.

In another case an insurance was taken upon a lady 83 years of age, upon October 8 and 12, four policies being issued of one thousand dollars each, the beneficiary said to be a grand-daughter of the insured. The signature to one of the applications instead of being signed by the applicant was signed by the beneficiary in her own name, and in the other applications the name signed was that of the old lady, but apparently in the hand-writing of the beneficiary. She died November 10, 1886, less than a month after the last policy was issued, and the grand-daughter received from the company two hundred dollars on each policy on the death of her grand-mother.

Another case is that of a woman 83 years old, living in Massachusetts, whose life was insured for the benefit of a man living in Western Michigan, in the sum of \$2,000. No relationship stated in application. The name of the applicant to the application was signed in the hand-writing of the beneficiary, and the medical certificate was made and signed by the beneficiary in his own name. She lived three months after the date of the insurance, and the beneficiary received four hundred dollars from the association.

In another case a man 85 years old was insured by his grand-son for \$4,000. The application is signed by the beneficiary, and not by the assured, and it states that the applicant had had dropsy; that he had been attended by a physician about two weeks prior to the making of the application for a bad cough. The insured died in three weeks from the date of the application. The attending physician states in the death proofs that the deceased had been sick three or four weeks and died of dropsy of the chest. The company paid \$800 on this loss.

In another case one of the directors of this association obtained an insurance upon the life of an uncle aged 82 years living in Manitowoc, Wis. The application was taken without the knowledge of the insured, and upon the death of the subject within a short time, a son of the beneficiary went to Wisconsin and obtained the proofs of death in a clandestine manner, and the company paid upon the loss \$179.80.

Another case was that of a physician, making application for insurance

upon a man 84 years of age. The insurance was taken September 28th, and the man died October 2d, 1886, four days after he was insured. The relationship stated is that of a creditor. The application was first signed by the beneficiary with his own name, and then erased, and the name of the insured signed in apparently the same hand-writing. The doctor was the beneficiary; the doctor made the medical examination in the application. The doctor swore to the statement of his death; the doctor paid assessments upon each policy of seven dollars and fifty cents. The doctor drew from the company \$600 upon the death of his patient.

Another case is that of a woman residing in Battle Creek, being insured by her husband for his benefit. Her age is given as 46, the insurance was taken out September 27th, 1886. She died October 8th, 1886, eleven days after being insured. The beneficiary signed the application in his own name. She died of consumption, and the physician in the death proofs says "she was able to get around the house up to within two months of the time she died."

The vice-president of this association testified that he was now acting as president; that charges had been preferred by the assistant secretary against the president a few days ago; that a meeting of the directors was called and that at an *ex parte* hearing they had found the charges sustained and that they had by vote removed the president; that they did not know of or look for any authority to remove him in the articles of by-laws, but that they just removed him.

A portion of the committee visited the office of the Michigan Mutual Benefit Association of Hillsdale, and upon investigation found the following:

That the company was organized March 1, 1879.

That the total number of certificates of membership issued to date is 5,100. The live members on December 31, 1886, numbered 2,258, and the secretary states the number to be about the same at this date.

That there were thirteen deaths among the members during 1886, upon which the company paid the beneficiaries \$21,606.89, which amount was collected upon nine assessments.

The company takes members only between the ages of 21 and 55 years.

Application for membership must be upon the printed blank furnished by the company; and must be signed by the applicant in person. The questions to be answered on the application are very extensive, and there is also contained in the application a very full declaration as to the terms and conditions under which the membership is solicited and accepted. The risk is required to be approved and recommended by the agent procuring the same, and the signature of the applicant to be witnessed by him.

An inspection of one hundred applications on file in the company's office, taken at random, all reveal that

15 applicants stood in the relation of husband to beneficiary.

61	"	"	"	"	wife to beneficiary.
13	"	"	"	"	heirs to beneficiary.
1	"	"	"	"	mother to beneficiary.
2	"	"	"	"	daughter to beneficiary.
1	"	"	"	"	son to beneficiary.
1	"	"	"	"	brother or sister to beneficiary.
1	"	"	"	"	son-in-law to beneficiary.

And also shows that the signatures appear to be in the hand-writing of the applicant.

Among the applicants are two in which the beneficiary is named as being "the intended wife" of the applicant.

The average age of insured is 41½ years. The oldest person insured the present year is 53.

All applicants must be examined by a medical examiner, and "the examiner is expected to answer in his own hand-writing every printed question, distinctly and decidedly, after a personal examination of the applicant at the time," and to certify to the examination, signing the certificate himself and stating when and where he graduated.

The applicant is further required to sign a declaration and warranty that the answers which he has given the medical examiner are full, complete, perfect and true, and made a part of the contract.

The chief medical examiner states that in the examination of applications he follows the rules laid down by the English insurance companies, and that very many of the applications received are rejected, in one late batch of applications one-half the number having been rejected.

The company favors the formation of local boards, when practicable, called "Advisory Boards of District Organization," and where such boards are in existence they are required to examine the statements in the applications and indorse the recommendations of the medical examiner, which statement is to be signed by at least one of the advisory board.

Policies or certificates of membership are issued for \$1,000, \$2,000 and \$3,000, and the promise in the policy is to pay "a sum not exceeding" the amount named on the death of the person insured.

A membership fee is charged of \$3.00 for a \$1,000 certificate, \$5.00 for a \$2,000 certificate, \$7.00 for a \$3,000, which fee goes to the agent securing the risk, and is his pay for the same. This fee is to be paid in advance, as is also one assessment.

The applicant is to pay the medical examiner. The rate of assessment is fixed by the age of the applicant. Only \$1,000 is ever taken on the life of a female.

The work of the institution is confined to Michigan.

Assessments are made only when necessary to pay a death loss, and are made on members in good standing who joined the association previous to the death for which an assessment is being made.

In case the amount received on an assessment is more than enough to pay the amount named in certificate assessed for, the overplus remains in the benefit fund, and should it be enough to pay the next loss in full, no assessment shall be made on that loss.

If there is no money remains in the benefit fund from a previous assessment, when a loss occurs an assessment is made. From the gross amount received upon that assessment is deducted 10 per cent, 5 per cent of which is paid to collectors and the remaining 5 per cent is retained to cover postage, exchange, etc., attendant upon the collection of the assessment. The remaining 90 per cent is paid to the beneficiary on the loss, not exceeding the amount named in the certificate.

To illustrate the practical working of the company the following history of assessment of No. 58 is submitted, being the last loss settled:

Assessment No. 53.

Assessment No. 9, 1886.

DEATH No. 64.

OFFICE OF
MICHIGAN MUTUAL BENEFIT ASSOCIATION OF HILLSDALE, MICH. }
Hillsdale, Mich., November 26, 1886.

Take Notice—That by reason of the death of Enoch Hallett (commercial traveler), of Hillsdale, Mich., holder of certificate No. 3462 for \$3,000, issued April 18, 1885, it became necessary to levy assessment No. 58, which was duly levied and directed by the board of trustees of this association on the 8th day of November, 1886. Cause of death, suffocation. Paid benefit fund, \$28.80.

The amount of such assessment on your certificate and due the association is \$....., and .. cents which you are requested to pay within forty days from this day according to the terms of said certificate. Two deaths reported since last assessment, and one loss paid. Please be prompt in making remittance.

When writing to this office be sure and give number of certificate.

Money mailed other than by draft, post office, or express order at sender's risk.

H. W. TULLER, *Secretary.*

An inspection of the ledger account of assessment No. 58 above shows that it was held open, and the last assessment paid upon it February 19th, 1887—46 days after the time when by a strict enforcement of the rule as to time of payment, the policy would have lapsed.

On February 19th this assessment was closed, the amount reported, 10 per cent deducted therefrom as heretofore stated, and the remainder paid to the beneficiary of Enoch Hallett, upon whose death the assessment was made.

Assessment No. 59 is collected and in progress of adjustment.

Assessments Nos. 60, 61, 62 and 63 are now in progress of collection, and some of them have not yet been closed up.

Upon the mailing of the notice of any assessment, a list is made out of the persons to whom the notice is sent, to which list is attached one of the notices sent, which list is certified by the secretary and placed on file.

By the terms of the certificate of membership non-payment of any assessment within 40 days from date of notice lapses the certificate.

On the suspension of any member for non-payment of assessment a notice is sent him, a letter-press copy of which is preserved, notifying him of the lapse of his certificate, and that upon the payment of the arrearages, which arrearages are the amount of assessment or assessments unpaid by him, and upon his signing an enclosed certificate as to his bodily condition and habits of life he may be reinstated.

The arrearages received upon reinstatements are credited strictly to the benefit fund.

The income for the payment of the expenses of managing the association is derived from annual dues of \$3 from each member, and the five per cent from gross amount of assessments collected, as before stated.

The secretary receives all moneys, and enters in the cash book each item, however small, with the name of the party from whom received, and at the close of each day the cash is balanced and by the secretary paid to the treasurer and his receipt taken therefor. At the end of each month the secretary renders the treasurer a statement of what amount is to be credited to the benefit fund, and what to the expense fund of the moneys paid to him during the month, and returns the daily receipts for the month to the treasurer,

taking a receipt from him for the whole, which receipt states the amount received from each fund.

Payments of assessments by members are entered in cash book, giving name of person paying each item, and posted from cash book to individuals in a register of members. The books are kept in elaborate detail, and upon a system which gives a double checking of every item as a guard against errors.

The association has but one agent on a salary. He is a special agent, at \$12,200 a year. Agents are collectors, and all give bond for the faithful performance of their duties.

All death losses and other accounts are credited by the board of trustees, which meetings are held on the second Tuesday of each month, and oftener when necessary.

The managers of this association state that at its organization they accepted risks between the ages of 18 and 60, but after a brief experience it became apparent to them that the insuring of persons of the advanced age of 60 was having a demoralizing effect upon people; that it placed the temptation before unscrupulous persons to insure those in whom they had no moral or legal insurable interest, and would lead to speculation and gambling in human life, and they thereupon changed their plan in that respect, and from that forward insure only between the ages of 21 and 55.

THE OLD PEOPLE'S BENEFIT SOCIETY, BENTON HARBOR, MICH.

Your committee arrived at the office of this company on the evening of March 28, and found the company in a peculiar condition. The articles of incorporation of this company were filed February 6, 1886, and they began business as a branch of, or in connection with, the Old People's Mutual Benefit Society of Elkhart, Indiana, under an agreement to pool assessments and losses with that company. This arrangement continued until about October 10, 1886, when some trouble arose and there was a dissolution between the companies. Under that plan the original applications of this society were sent to the Elkhart company, and copies were retained at this office, and upon the happening of the trouble between the companies the Elkhart company refused to return the original applications, and had undertaken to get possession of the books of this society under writs of replevin, and at the time your committee visited the office the books and papers of the society were in concealment. They were afterwards found and placed before your committee, with files of original applications which were taken since October 10, 1886.

This society issues insurance upon the lives of persons between the ages of 21 and 85 years. The assessments are graded according to the age of the member at the time of joining, and remained the same during the continuance of the contract. No more than twelve assessments can be made in any one year. The death losses of January and February are pooled together and paid by the assessment of the following two months, and so on throughout the year. In case there is not enough money received in two months to pay the losses of the preceding two months in full, those losses are prorated. If no death should occur in any term of two months there are no assessments made for the following two months. The membership fees charged by this society are ten dollars for a one thousand dollar certificate, and five dollars for each additional one thousand dollars of insurance. The

society will in no case issue a policy for less than \$1,000 or more than \$4,000 on any person over the age of 70 years, and for not more than three thousand dollars on any person over the age of 75 years, and not more than \$2,000 on any person over the age of 80 years, and not more than \$1,000 on any person over the age of 84 years.

Their policies provide that if the death of the person insured occurs within 90 days from the date of policy the beneficiary shall be entitled to receive the amount paid the society, with ten per cent added. If death occurs after 90 days, and within one year from date of policy, the beneficiary is entitled to one-fourth the amount of his policy; if after one year and within two years to one-half the amount of his policy; if after two years and within three years, to three-fourths of his policy; and if after three years the full face of his policy.

Eighty per cent of the amount received at the office is placed to the mortuary fund, and used to pay death losses, and also all the legal expenses incurred in investigating or contesting a doubtful claim. The remaining twenty per cent, together with the amount received from agents of membership fees, constitutes the expense fund of the society. All commissions paid to collectors are paid out of the expense fund and not out of the mortuary fund.

The Secretary of this society receives for his services a salary of \$75 per month, and one-quarter of the membership fee that is received in the office from agents. The superintendent of agencies receives a salary of \$75 per month and expenses. The treasurer is paid \$50 per month. The president receives no salary, except as he goes out and does the work of appointing agents, when he is paid at the rate of \$75 per month and expenses. The attorney of the company receives a salary of \$100 a year and \$15 per day for services. The medical director up to December last received thirty cents each for approving applications, and since that time he has received nothing. The trustees only receive pay when they attend meetings, and then they are paid five dollars a day and expenses. All these sums are paid from the expense fund.

The by-laws of this society provide that each applicant for membership shall furnish a certificate of good health from a reliable physician. On examination of the application on file and the testimony of the secretary and medical director reveals that this is not followed in actual practice. Very many of the physician's certificates are in fact signed by the beneficiaries. The reason given by the medical director for accepting them in that form is that every village contains a physician to whom parties could apply and get a certificate to one of these applications, and it would not be as good as that of the beneficiary, because if it was made by the beneficiary and was false the company would not be holden, while if it was made by a physician and was false the society would be holden.

The articles of association of this society provide that each member whose certificate is in force at the date of the annual meeting of the society shall be entitled to one vote. The by-laws of the society provide that "Each person holding a certificate in this society upon which the dues and assessments have been fully paid shall be entitled to one vote." Under this last provision the beneficiaries are held to be the members of the society, and not the person whose life is insured, as will more fully appear from a resume of the testimony of the secretary hereafter.

During the existence of the pooling arrangement between this society and the Elkhart company, the aggregating of the assessments and the division of the losses was done by the Elkhart company, and this society and its members have no means of knowing whether they received what they were justly entitled to or not, and never had, and it is stated that in the final windup it was admitted by the Elkhart company that they had overdrawn from this society to the amount of several hundred dollars, which overdraft has never yet been re-paid to this society. Of the original applications in the office a very large number show upon their face in the plainest possible manner that the names of the insured were written by the beneficiaries.

In very few cases does it appear that the name was written by authority. It is almost the universal practice that the medical certificates are filled out and signed by the beneficiary. One agent of the society in particular appears to have been remarkably active in signing the name of the applicant to the applications, without showing any authority to do so, the beneficiaries in these cases signing the medical certificate, and all these applications have been approved by the medical director. As shown by the assessment register and applications, this agent pays the assessments herself upon thirty-three policies upon very old people, covering \$48,000 of insurance. Upon the attention of the medical director being called to these applications, he stated that had he noticed the manner of the signing at the time, he should not have approved them.

Policies have been issued by this society upon the lives of people living in Canada, Germany, England, and even Sweden, the application being signed by the beneficiaries living in this State, who also signed the physician's certificate, when, in the very nature of things, it was impossible that they should know that the person whose life they were attempting to insure was at that time alive.

The secretary of this company keeps no cash book and no ledger. There is no way by which the condition of the society financially can be determined by its members or even its officers in any reasonable length of time. The only way the amount received can be ascertained is by figuring up the small items upon the assessment register, which can only be done by going through the entire list which embraces the names of all live, lapsed and dead members.

One instance of the uncertainty attendant upon the loose manner of conducting the financial affairs of the office is found in the case of two death claims, in which, instead of footing up the amount of money received from the assessments for that pool and computing the amount the company had with which to pay the claims, they merely asked the treasurer how much money he had in the mortuary fund, and from his statement paid the claimants \$867.25 each. In some manner the beneficiaries in these cases learned that they had not been paid enough, (which is stated to have been on information received from the secretary of the Elkart company), whereupon one of them employed an attorney to look into the matter, and he came to Benton Harbor, footed up the amount received as shown upon the company's assessment register, discovered that his client had not in fact received what she was entitled to have received, and the company paid the balance of the one thousand dollars which was actually due to each of the beneficiaries.

Another instance is that the secretary in his sworn statement to the insurance department December 31, 1886, reports the amount of money on hand at \$1,593. The then treasurer testifies, and his book and the books of the

he testified that his wife obtained the insurance for speculative purposes. The policy was afterwards assigned to the medical director of the company. The assessment notices on that policy were all sent to and paid by the agent. The old man died, and the amount due upon the policy, five hundred dollars, was paid by the company to the wife of the agent, who was a sister of the secretary of the society.

THE OLD PEOPLE'S LIFE INSURANCE COMPANY OF JACKSON.

The visit of your committee to this company was made on March 25th.

This company was organized and began business January 9th, 1886. It was organized for the purpose of insuring the lives of persons between fifty and eighty years of age, although they receive them from the age of twenty-one by their paying the same rate of assessment as those of the age of fifty. The youngest member they have is thirty-four. The amount of the assessment that each member is to pay is graded according to his age at becoming a member. It issues insurance on persons under sixty years old not to exceed four thousand dollars; over sixty and under seventy not to exceed three thousand, over seventy and under seventy-five not to exceed two thousand, and over seventy-five and under eighty not to exceed one thousand dollars. The membership fee charged is ten dollars for the first thousand dollars of insurance, and five dollars additional for each thousand over one thousand. Persons seeking insurance can procure it with this company by making application upon the printed blank furnished by the company, and "furnishing a certificate of good health satisfactory to the medical director."

In the payment of losses they divide their business into pools of three months each, commencing with the first three months of the year, and the payment of the losses that occur in the time of a given pool are paid by the assessments made during that pool. If it should require more than one assessment to pay the losses in a pool and pay them in full according to the agreement in the policy, then they are authorized to make additional assessments, but in no case can they make to exceed three assessments in any one pool.

The amount due upon any policy is determined by the articles of association, as follows:

"It is further agreed and understood that if the death of the assured shall occur within six months from the date of the policy issued on the life of said assured, then the amount thereon paid by the company shall be twice the amount paid to the company, or its agents for this insurance, and if death shall occur after six months and within one year, then the amount paid thereon shall be three times the amount paid to the company or its agents for this insurance, and if death shall occur after one year and within two years, then the amount paid thereon shall not exceed one-fifth of the amount named in the policy, and if death occurs after two years and within three years then the amount paid thereon shall not exceed two-fifths, and if death occurs after three years and within four years then the amount paid thereon shall not exceed three-fifths, and if death occurs after four years and within five years then the amount paid thereon shall not exceed four-fifths, and if death occurs after five years then the amount paid thereon shall not exceed the full amount named in the policy, but not in any event to exceed a pro rata share of all the money collected for the mortuary fund from the three assessments from all the paying members, together with a pro rata share of the money remaining in the mortuary fund from previous assessments, and it is specially

agreed and understood that at no time shall the company make to exceed one assessment a month, and that the losses occurring in the three months of the year beginning with the first three months of the year, shall be paid by the assessments levied in the same three months, and all money remaining in the mortuary fund after the payment of each three months' losses in full, shall be held as a reserve fund, and shall be used in the payment of losses only when the amount collected for the mortuary fund from three assessments on all the paying members in three months shall be insufficient to pay the losses of said three months: *Provided*, That this fund shall not be allowed to increase beyond ten thousand dollars, and all money accumulating in this fund in excess of ten thousand dollars shall be used in the payment of current losses: *And provided further*, That the trustees shall have the power at any time to use any part of the amount so held in the payment of losses instead of making an assessment therefor."

From the evidence obtained by an examination of the files of applications and the officers of this company your committee ascertained that it was the common practice with this company that the person named as beneficiary in the applications shall execute the medical certificates attached thereto, an examination of 47 applications revealing that in 38 of them the medical certificate was signed by the beneficiary. The secretary and general agent of the company both stating that they prefer to have them signed in that way in preference to their being made out and signed by a physician.

The secretary of the company testified that they required applications to be signed by the party who is to be insured. But the facts developed upon his examination did not bear out that statement. Applications were found in the files which were signed, in the blank provided for the signature of the person to be insured, by the beneficiary and in his own name. Applications were found for the insurance of people living outside of this State in which the beneficiary named was the secretary of this company, in relation to which the secretary testified that he signed the names of the applicants and that he filled out and signed the medical examinations thereto. The secretary also carries insurance in this company for his own benefit upon his brother's wife and several other parties under the claim that they are debtors of his.

Another similar instance was that of an application for insurance upon the life of one Peter Zuber in favor of Amanda Evelind. The name of Peter Zuber to the application purported to have been signed by B. M. Evelind and the medical examination thereon was signed B. M. Evelind, and there is no pretense that B. M. Evelind was a medical man. The evidence tended to show that he was simply the husband of the beneficiary named.

THE SOUTHERN MICHIGAN MUTUAL ASSOCIATION OF UNION CITY MICHIGAN.

Your committee, on visiting this association on March 24, found the secretary absent and the office in charge of a book-keeper who gave the committee all the information in his power.

The articles of incorporation under which this company is operating, were filed with the secretary of State, May 21st, 1885. We quote from them sufficiently to state their plans of insuring.

The objects of this corporation shall be to secure by fixed monthly assessments upon the members thereof, a sum of money to be paid to the husband, wife, family, heirs, creditors or assigns, as may be designated in the certificate of membership, upon the death of such member, in the manner more specifically hereinafter described. And for this purpose there shall be but one

ing a thousand dollars more of insurance to such as desired it. The assessments are one dollar in each class, and annual dues of fifty cents are assessed upon members in Class A. The membership fees are \$5, \$7.50, and \$10, varying with the age at which a person joins. All members must pass a medical examination made by a regular physician and subject to the approval of the medical director of the association.

It has nineteen directors, ten of whom live in Grand Rapids, and the remainder are chosen in places where there is a membership of over twenty in this association belonging to one masonic lodge. The regular meeting of the board of directors are held on the third Thursday of each month.

The expenses of this association are paid from a fund which is created by the annual dues and a percentage of the membership fee. No part of the money received upon assessments is used for paying expenses under any circumstances.

Up to this time there is no salaried officer in the association except the secretary. Members of the board of trustees living out of Grand Rapids are paid simply their expenses for attending the meetings.

When first organized the outside limit of age was 60 years, but for three years past the limit has been fixed at 50 years. Its president states that they reduced the age because from the evidence that they had they believed that people of over fifty years of age were not proper risks, that the rate of mortality would be so high as to endanger the safety of the association.

The association is authorized to make an assessment upon every death, but thus far they have not made over nine assessments per annum. In the ten years of its existence the rate of assessments has increased from \$7.50 to \$9.00 per thousand per year. Its officers are of the opinion that having been in existence ten years they have passed the outside limit, and that they will never have to assess more than ten dollars per annum to pay the death losses and create a surplus. They began the accumulation of a surplus eight years ago, and now have in their reserve fund \$48,773.87, with the interest which has accumulated since January 1st, 1887. The interest received upon the reserve fund last year was over seventeen hundred dollars. This reserve fund is invested in Grand Rapids bank stock, township, school, and bridge bonds, and cash in bank. The proportion of expenses to the total income in this association is about ten per cent, and that includes the cost of soliciting business as well as every other expense.

The average age at present is 45.30, and this average has decreased since the first year of the association, first because they have reduced the age, and second, because when they began they had no medical examination, and a large proportion of old men went in because of that. Since that time the influx of new members has had a tendency to decrease the average age.

It has now about 5,700 members. Last year it received 223 new members, and lost by death and lapse 235. The officers ascribe their not receiving more new members last year to the fact that there were so many coöperative companies working in this State, an Indiana company in particular giving away the membership fees for the purpose of obtaining insurance.

This association has paid its certificates in full in class A, since March 4, 1877, and in both classes since January 15, 1882.

Lapsed members may be restored upon reëxamination where they have been out over thirty days and furnishing a certificate of good health and the payment of their back assessments. No penalty is charged and the

money received all goes into the mortuary fund. In fact they have very few such cases, persons who lapse usually coming in as new members

The treasury and secretary give bonds to the society in the sum of twenty thousand dollars each.

The definition by this society of an insurable interest is contained in their constitution, which makes their certificates payable.

FIRST. To such person or persons as the deceased may have designated to receive the same, as appears on the books of the association.

SECOND. If no designation has been made, then to the widow of said member.

THIRD. If no widow survives, then to the child or children of the deceased.

FOURTH. In default of all the foregoing conditions, then the mother or father, at the election of the board of trustees, of such deceased brother.

FIFTH. And in case there are no such designated person or persons, widow, child or children, mother or father, this association may appropriate towards the payment of the expenses of the last sickness and funeral expenses of the deceased, as may be necessary for that purpose, not exceeding the sum to which said representative (if any) would be entitled; and if after paying said payment there shall be any amount remaining, then such excess shall be placed in the general fund of the association, but such sum shall in no case be paid to such designated person or persons, widow, child or children, mother or father of any member who shall have failed to make payment of the dues or assessments prescribed by the constitution, rules and order of this association.

It does not make its certificates payable to a creditor in any case; neither do they allow an assignment of a certificate without the consent of the beneficiary, if alive, except in cases where the beneficiary is the wife of the member and she dies; or in the rare case where the husband and wife are divorced, in which case the beneficiary would have no further interest in the subject. An assignment is never permitted where the insurable interest is not made clear to the board of trustees. They have several cases now which are held in abeyance awaiting the decision of the probate court as to whom the money shall be paid.

The president of this association gives it as his opinion that a contract for insurance in which the beneficiary is not pecuniarily interested in the continuance in the life insurance is a wager policy and good for nothing, and that he considers such a contract as against public policy and one which should be prohibited by law. He also states that in his opinion all assessment companies should have a reserve fund to meet unexpected liabilities; that he would not conduct a company unless that company had something behind it so that it would not be dependent for payment of death losses upon assessments alone. His reasons for that opinion are in the first place that it is a business proposition that a man ought to have money enough to pay his debts, and every insurance policy that is outstanding is a debt against the company, and it ought to have a surplus to provide against the contingency of their being called upon at any time to pay a part of that claim. If assessments were only made as members died, where six or eight or ten should die in a month, when only two were expected to die, it would be the means of a number, not only unwilling but unable to pay, that would drop out and leave an excessive burden on those that remained, and do an injustice to the beneficiaries of those who died.

He also states that he believes that the contract is mutual and that the association is responsible for the contracts it makes through its officers, and

that the persons that are insured are responsible for their assessments, and that there is no liability upon the part of one that does not apply to the other, and in his opinion the statute should clearly express that obligation; that his association is in hearty sympathy with that doctrine; in other words, it is in hearty sympathy with anything that will make coöperative insurance not only respectable but permanent.

Your committee examined one hundred of the applications in his office taken in the year 1886, and found that the beneficiaries in these applications are as follows:

Wives of the insured, 88.

Children of insured, 4.

Himself, 6.

Heirs, 2.

Son, 2.

Daughter, 1.

Father, 1.

Sister, 1.

The average age of the insured in the above application was 38.63. Every application appeared to be regularly signed by the insured, or seemed to be in their own hand writing. The form of the medical certificate was complete and full, and in every case was regularly filled out and signed by a physician, and each application approved by the medical director.

THE INDUSTRIAL MUTUAL BENEFIT ASSOCIATION OF CORUNNA.

The certificate of authority of this association to do business was issued in November, 1885. Its general plan is similar to that of most other assessment companies. It has two classes of members, the dividing line being at the age of 60, and the assessments being graded according to age. The membership fees are seven dollars for one thousand dollars, and two dollars for each additional thousand. Death losses in each class are paid by the assessments of the following month, eighty per cent of the amount collected constituting the mortuary fund, and the remaining twenty per cent, together with any amount that may be received of the membership fees, constituting the expense fund. Assessments are limited to one per month. The total number of certificates that have been issued is 322, and there have been eight death losses. Assessment notices are sent to and the assessments paid in most cases by the beneficiaries. Medical examinations filled out and signed by the beneficiaries are considered as good as if made by a regular physician.

Some of the officers of this association are active patrons of old people's insurance companies. We find one of them named as beneficiary in a death loss in another company than his own, whereby he reaped a net profit of about six hundred dollars by the death of an old person whom he had insured.

Another officer of this association appears as the beneficiary in an application upon which a certificate has been issued, for insurance upon the life of his father. In this application the official referred to appears as the agent of the association procuring the insurance, and the hand-writing of the name of the insured is identified as being his also. The medical certificate upon it, and the medical director's approval, are made by the same person, and the medical director of the company. Two members of your committee interviewed the old gentleman insured in this case, and he told them that he had

never taken any insurance upon his life except once, and that was when he was about 25 years of age, and it had lapsed many years ago; that he is now 68 years of age. Being asked if he knew of any life insurance being now upon his life, he said he did not know of any. He also stated that he had been laid up with rheumatism for fifteen years last past; that for four years he had been a little better, so that he had been able to be around, but that he was liable to drop away at any time.

THE PENINSULAR STATE MUTUAL BENEFIT ASSOCIATION OF ITHACA.

The investigation of this association by your committee was made on March 31, 1887. But a limited amount of information could be obtained as to its inner workings from the fact that one thousand of its applications could not be found, and no proper books were kept of its business. From the information obtainable your committee is of the opinion that this association is practically owned and controlled by one man, the secretary, who has managed it in a manner calculated to produce the most profit for himself. Your committee are informed that he came to this place eight years ago with no apparent means, that since then the conduct of this association has been his only visible business, and that now he is rated by common report as being worth from twenty to forty thousand dollars.

The plan upon which this association is organized to do business, as stated in their circulars, is as follows:

Every applicant must undergo a medical examination by some competent physician.

The beneficiary must be the husband, wife, family or heirs of the member insured.

All certificates will be forfeited if assessments are not received at the home office within thirty days from date of notice.

The annual election of officers and trustees shall be held the last Monday in March of each year.

A persons at 60 years shall be assessed thirty-five cents for each one thousand dollars carried, which shall form the basis of assessments for all ages thereafter. There shall be no assessment for annual dues; but 20 per cent of the amount collected for death assessments shall be placed in a sinking fund and used to defray the expenses of carrying on business. Eighty per cent. collected on each assessment shall be placed in the death fund and shall constitute the same, and no part thereof be used except in paying death losses, and no assessment can be made while enough remains in this fund to adjust a claim.

When death occurs after two years from the date of a certificate the amount paid upon the same shall equal such part of one assessment (which is placed in the death fund) as the certificate is a part of five thousand dollars, but not to exceed the amount named in the certificate. If death occurs within sixty days from the date of a certificate, nothing will be paid except all moneys which have been paid upon the same. If after sixty days and before one year but one-fourth, and if during the second year, but one-half the amount will be paid that would have been paid had the certificate been in force two years or more.

The deaths occurring during two months shall be paid by assessments made the two following months, which assessments can not amount to more than three single assessments for the two months. Should it require three assess-

ments during any two months to adjust the losses of the two previous months, the amount thus received shall be divided pro rata among the losses thus occurring, and shall be a settlement in full of said losses.

Five thousand dollars may be issued upon one person, and may consist of one or more certificates, but no fractional part of one thousand dollars will be issued in a certificate.

Membership fees for the first thousand dollars shall be ten dollars; five dollars for each additional one thousand dollars thereafter.

Persons less than sixty years of age may take certificates by paying thirty-five cents for each one thousand dollars carried when there is an assessment for death. The greatest age at which a person may join is eighty-six and the assessment for that age is \$3.50.

In the actual conduct of the business of this society no statement in the application is required as to the insurable interest between the insured and the beneficiary, and there is nothing in the application, nothing in the certificate of membership, nothing in the death proofs, and nothing in the books, files, or records of the office to show any relationship existing between them.

They do not require any medical examination of an applicant by a competent physician, as set forth in their articles of association. The reason given by their officers for not following that provision is that other companies do not require it, that they found they could not do business if they insisted upon such an examination. They have a blank physician's certificate printed upon the back of their applications, and they have also a separate blank which is headed "Family Physician's Certificate," which is intended to be filled out by a physician where he does not see the applicant, and which is also, in some cases, signed by a beneficiary.

Death losses in this company have never been investigated at all. When death proofs come in the claims are paid without question. The belief of the officers of this company is that, even though a person procures the insurance of someone for his own benefit by fraud, yet from the fact that the beneficiary concerned in that fraud pays his money in assessments to help pay the losses of other people, that when his insured person dies he is entitled to recover something upon his certificate, and therefore the association puts honest and fraudulent beneficiaries upon the same footing and treats them accordingly.

There was no annual meeting of the members of this society held during the year 1886, the officers of the year 1885 holding over. There was an annual meeting held on the last Monday in March, 1887. No special notices of that meeting were sent to its members. In fact the only notice of an annual meeting is that contained in the circular. Those circulars are always in the hands of agents, and are said to be inclosed to beneficiaries with their assessment notices. At the annual meeting held on Monday preceding the visit of your committee there were six members present. These were the secretary of the association and his wife, the book-keeper of the association and his wife, and two other members. The former president of the association presided at the meeting, and the six members present elected an almost entire new set of officers for the coming year.

The notices of assessment in this association are sent to the beneficiaries in most cases. The secretary says that he does not know that the assessments are paid by the beneficiaries in most cases because they do not assess any one individually, they assess each certificate by its number.

There has never been a dollar of the money of the association paid over by the secretary to its treasurer, but the secretary has deposited the money received by him from assessments in bank, taking certificates of deposit therefor in his own name as secretary, and at this date he holds in his hands in that way \$8,684.64. No account has ever been kept with the treasurer, nor has the treasurer ever kept any account with the company. No bond has ever been given the association by any of its officers.

The former president of this association, who was deposed by the annual meeting on Monday last, was examined by your committee, and gave a history of the association. The idea of its organization with him was gained from a visit which he made in Ohio, from hearing of this kind of companies, and forming the acquaintance of a gentleman engaged in that business, and whom he sent for on his return home, and who has been and is the secretary of this company. From his evidence it appears that the secretary has been the executive of the association, running it as he pleased, receiving and paying out the money as he saw fit. No accounting has ever been made by the secretary to the members, and they have no means of knowing whether its funds were properly or improperly distributed. Lately, the former treasurer had demanded the treasurer's books of the secretary, and had been refused any accounting, and the president also had made a similar demand, and had been told by the secretary that it was none of his business. From the manner in which the business of the office has been conducted it would have been possible for the secretary to have disbursed only a part of the mortuary fund instead of the whole, and no one would have been the wiser.

Your committee went to Detroit April 4th, and on the days following examined several of the coöperative insurance companies doing business there.

THE DETROIT MUTUAL BENEFIT ASSOCIATION.

This association was organized in 1880, and has a present membership of about 660. Its membership fees are ten dollars. It does not differ materially in its articles of association from other companies of this sort, except as to its class A, which is upon a somewhat novel plan. This class includes persons of from 18 to 65 years of age, who are assessed one dollar upon each death and the amount of insurance, amount paid beneficiaries and the disposition of the assessments is shown in the following table:

CLASS "A."

Age of Insured.	Amount of Insurance.	Per cent of each \$1 received to be paid to insured.	Per cent for Surplus Fund.	Per cent for Assessm't Fund.
18 to 28.....	5,000	90	5	5
29 to 33.....	4,500	85	5	10
34 to 38.....	4,000	80	10	10
39 to 43.....	3,500	75	10	15
44 to 48.....	3,000	70	15	15
49 to 53.....	2,500	65	15	20
54 to 57.....	2,000	60	20	20
58 to 61.....	1,500	55	25	20
62 to 65.....	1,000	50	25	25

In this class there are 520 members and the practical working of it would be something like this: If a person died, aged 64, and each member paid his assessment of one dollar, the beneficiary of that person would receive 50 per cent of \$520.00, or the amount paid in (but never to exceed one thousand dollars), which, in this case would be \$260.00. Of the remaining \$260.00 one-half would go to the mortuary fund and the other half to the expense fund. When another death came there would be an assessment for that, and it would be paid according to the same rule. When enough money was accumulated in the mortuary fund to pay a loss in full, then the next loss that occurred after that would be paid out of the mortuary fund upon the basis of the last assessment collected, and no assessment would be made for that loss. Its class B is composed of persons joining between the ages of 65 and 84, and the assessments are graded somewhat after the manner of other companies which we have examined, 80 per cent of such assessments going into a mortuary fund and 20 per cent of them to the expense fund.

The expense fund of this society is made up from annual dues of two dollars from each member, and in class A, from one-half of the over-plus of each assessment beyond what is required to pay the loss from which the assessment is made, and if an assessment is not paid until within 20 days after it became due then one-half of the assessment goes to the expense fund (and the other half to the mortuary fund), and if the assessment is not paid until after 20 days from the time it became due then the entire amount goes to the expense fund, and in class B 20 per cent of the assessment collected, and the same disposition of money paid in upon lapsed certificates as in class A. By their rules they are also entitled to take for the expense fund one dollar per year for each member out of the mortuary fund if necessary. This was found necessary and was done in the year 1886.

In this association applicants are required, in both classes, to sign their names to the application in person, and no certificate would be issued upon an application whereon the name of the applicant was signed by the beneficiary. Notices of assessments are sent to the insured parties unless they request them to be sent to some one else. The officers do not recognize an insurable interest outside of the immediate relatives of the party insured. A

creditor is not recognized as having an insurable interest, and no certificates are ever issued to a creditor.

THE COMMERCIAL MUTUAL ASSOCIATION.

This Association was also incorporated in 1880. Its plan of insurance is something similar to that of the last mentioned company, as will be seen from the following tables.

This Association will insure any person between the ages of 15 and 65 inclusive, who complies with its conditions. The following table will show the per cent of the assessment to which the beneficiary shall be entitled, and the maximum amount the beneficiary can receive :

Age of Insured.	Per Cent. Paid When Not Full.	Amount of Insurance When Full.
15 to 25 inclusive	90	\$5,000
26 to 35 "	85	4,500
36 to 45 "	80	4,000
46 to 50 "	75	3,500
51 to 55 "	70	3,000
56 to 60 "	65	2,500
61 to 65 "	60	2,000

The following table shows the cost of a Whole and a Half Certificate, respectively :

	Initiation Fee.	Annual Dues.	Assessment.
Whole Certificate.....	\$10 00	\$2 00	\$1 50
Half Certificate.....	7 00	2 00	50

Applicants for insurance are required to be examined by a physician in good standing who has a diploma from some regular medical college. The examining physicians are not appointed by the associations, but where applicants are examined by other than physicians of known reputation, such applications are submitted to the medical director for his approval. Otherwise they are not submitted to him.

The manner of keeping the accounts in this office is rather crude, but the money is apparently all honestly accounted for. Is is received by the secretary, entered upon the assessment register as received and turned over daily by the secretary to the president and by him to the treasurer and his receipts taken therefor. No collectors are employed, but the members are expected to pay their assessments either in person or by remitting the amount at their own expense. A ledger account is opened with beneficiaries when the certificate in which they are named becomes a claim. When the assessment for that claim is completed their ledger account is credited with the amount due them from the assessment made to cover their loss, or their share thereof, and charged with the necessary postage used in making the assessment, and with the balance of cash when paid them.

The entire expense fund of this association is provided for by the annual dues and ten per cent of each assessment collected. This ten per cent is only to be taken when necessity requires it. There is also a small amount of money that comes in from the membership fees. In the year 1888, the whole amount of the expense fund received in the office was \$716.50. The secretary of this association receives for his services \$30 per month, and no other officer is paid for services except that the medical director is paid a fee for examining each application.

The amount of money received from assessments, less ten per cent for expenses, constitutes the mortuary fund. The beneficiary of a loss is paid the per cent which his certificate calls for of the assessment made to cover his loss, less the cost of the postage in making the assessment, and the remainder is put into a surplus fund for the benefit of the members, to be used and disposed of by them at their annual meeting.

The number of assessments that can be made is not limited, but in the experience of the company they have averaged to pay two death losses from one assessment.

THE UNION MUTUAL ASSOCIATION.

A synopsis of the testimony given before your committee by Mr. Chas. E. Foote, who has been the secretary of this association since its organization in September, 1879, will very clearly illustrate the plan and methods of this company, and also their views of the essentials requisite in a successful co-operative insurance association. In substance he said: The object of this association is to furnish insurance, upon the assessment plan, on the lives of those who may become its members, in any amount not exceeding \$5,000, to be paid to such beneficiaries as the members shall direct in their applications, who may have a legitimate insurable interest in their lives. Our certificates are issued upon lives between the ages of 17 and 60. Originally our company wrote up to 65 years inclusive, but in 1880 or 1881, by resolution of the board of trustees the age was reduced to 60.

The principal reason that led us to reduce the age was that we believed that we were carrying more risk than was best to do at those ages. When a man is 60 he soon becomes 70, and then the risk is altogether too excessive for us to carry. I do not think it is prudent for a company to take new insurance beyond the age of 60 years. I think, as a rule, beyond the age of 65 at most, there is but a small insurable interest in any life.

That is to say, beyond the age of 65 years, as a rule, a life becomes non-productive. An insurance company is supposed to write upon something that has money value in itself, and comparatively few men beyond the age of 65 years are producers. A life insurance company, I think, has nothing to do with the affection a man may have for his family or his family for him. The idea of insurance is to reimburse the beneficiaries for some money loss in case of the death of the insured. I believe that the beneficiaries must have a pecuniary interest in the continuance of the lives insured. When you go outside of that you open the door to all sorts of fraud and make a temptation to crime.

I do not know of any better term for an insurance that did not contain that principle than that it is gambling in human life. Such a policy would be a wager policy, and against public policy. I think a preponderance of contracts written on lives beyond the age of 65 would be in the nature of wager policies.

In order to determine the insurable interest we require the relationship of

the applicant to the beneficiary to be given in our applications. We issue policies payable only to the husband or wife or children of the insured, and we have no policies issued outside of those. We have never issued any policy payable to a creditor, neither have we accepted assignments of policies to creditors.

Wherever an assignment has been made and it has come to our knowledge we have notified the parties that such an assignment was made at their own risk and that we should not agree to pay under the assignment. There seems to be a difference of opinion among attorneys as to the validity of an assignment, whether companies have a right to accept assignments of policies or not, and we think it safer for us to take the benefit of the doubt and refuse all assignments.

Whenever the amount of our mortuary fund is reduced below five thousand dollars by the payment of losses we are required to make an assessment among our members.

The assessments are made upon each member for a sum based upon the American experience tables of mortality, and the amount of each assessment depends upon the age of the party at the time he was insured, and the amount of insurance that he has. The assessments remain the same during the continuance of the contract. The present average age of our members on January 1st was forty-three years. The average age of our members has increased nearly three years in eight years. I think that the time comes when the average age of a membership of a company will not increase, assuming that the company transacts a fair amount of business; that the incoming members will counter-balance the increasing age of the older members, taking that together with the outgoing policy holders, those whose policies terminate by death or lapse, I think that by issuing policies not exceeding 60 years that we can preserve an average never exceeding 47 years. With any new company the average age will increase for the reason that the deaths and lapses in a new company are much less than they will be in a few years. After a policy has become three or four years old I think that the lapsing is perhaps more among the younger members than the old, and in cases of emergency I think the stronger lives would be the ones that would lapse. I have contemplated submitting to our board of trustees and getting them to submit to our members the plan of accumulating a reserve or emergency fund upon something of this basis: That a certain percentage of the assessments made, say 20 per cent of the amount, should be set aside, and there should be charged out of this reserve the increasing cost of insurance to each member as his age increased. That should be set aside to the credit of each policy, and as the policy holder advanced in years the increasing cost to be charged out from his individual reserve. That would be something of the plan of the Old Line companies, but by no means so large a reserve. I think a reserve may not be absolutely necessary to the permanent security of an assessment company; at the same time I think it is advisable and by all means the safer course to pursue. The fact of the possession of a reserve which could be drawn upon to pay current losses in case of unusual mortality would tend to prevent a stampede of members, and I think that is one of the objects of a reserve.

On December 31st last, we had 2557 policies in force. The number of individual members would be probably fifty less than that.

We require each applicant to sign an application, on which he gives his own history and his own physical condition and his family history, and we require

him to submit to an examination by a medical examiner who is a graduate of some regular medical college, and a man who is in active practice, and he must also subscribe to the statement to the examiner in that application. Each applicant is required to sign the application in three different places, and we require the medical examiner to identify the applicant as the one who made the application to the agent. Our medical examination is a physical examination. Our medical examiners are appointed by the medical director subject to the approval of the board of trustees. Each examiner must furnish to us, on a blank prepared by the company, a statement as to his own qualifications, the length of time he has been in practice, the college from which he graduated, and also must furnish us medical reference, and where necessary we write to those medical references, and ascertain as far as possible his ability and his reliability. We do not allow any agent to select his own examiners in any case, but require the examination to be made by the examiner appointed by the medical director, except there may be occasionally an exceptional case, and then we require an explanation from the agent as to why he sent in an application which was examined by some one not appointed by the association. We endeavor to use the utmost care in the selection of our members, and I think in the main we are successful. I do not see how a company can be successfully conducted unless they require a thorough physical examination of each applicant by a medical man who is thoroughly competent, and not only thoroughly competent, but a man who will give the company the benefit of a doubt. When applications come into our office, if there is no other objection than a physical objection, they are placed before our medical director for examination, and if he withholds his approval no certificate is issued. After a certificate is issued it is entered up on our membership register, which gives all the particulars in relation to it, and upon this record we make our assessments. In the eight years we have been in business we have only collected twenty-four assessments, and for the past five years we have made assessments quarterly at regular times, four assessments a year.

Where we have a sufficient number of members in any locality we appoint some man there as a collector, and notices are sent to the members giving them a list of losses that have occurred since the previous assessment. These notices contain the name of the member who died, the date and cause of death, the name of the beneficiary and the amount of the insurance.

On the same notice is also given a statement of our mortality fund, showing the entire amount of money received up to the date of the last assessment, and also the amount received since our last assessment up to the date of the one then going out, and also all money that has been paid out from the mortality fund up to the previous assessment, and also the losses, each loss on which any money has been paid since the previous assessment—showing in detail the receipts and disbursements of the mortuary fund up to the time of making the assessment. After these notices are sent out we send to these collectors the receipts and notify the members to pay him or remit to this office as may best suit their purpose, and the collector at the end of the forty days—there is that much grace given in the payment of assessments—is required to make a report to us upon blanks furnished by us of all collections made and return to us the unpaid receipts. We usually pay our collectors five per cent. After the assessment is received in the office it is entered upon our cash book and the amount paid by each member is credited to his individual account which we term the assessment and due register. We keep a cash account with each mem-

ber, and also with our collectors. The amount is then divided into its appropriate funds.

In case of a life policy, 20 per cent. of each assessment is put into the contingent fund, 80 per cent. goes into the mortality fund and used only in payment of death losses. In cases of an accumulating life policy, 20 per cent. of the assessment is put into the contingent fund, and 20 per cent. of the remainder or 16 per cent. of the gross assessment is put into the deposit fund and the remainder into the mortuary fund. Of the deposit fund, that amount is used for the purpose of payment of assessment upon policies that have been in force ten years. Those policies are written upon a specific form and accumulate a reserve to themselves for the purpose of continuing the assessments after the ten years.

Then after paying commissions to agents as allowed by the contract with the trustees, the remainder is paid over to the treasurer. We furnish the treasurer a statement of the amount received whenever a payment is made, and on the second Tuesday of each month the treasurer must make his report to the finance committee.

The finance committee at that time go into the office and examine the books and make their report from them. So that at that time the finance committee goes to the office of the association and examines the books and the reports of agents, go through the files and check the contract and ascertain the total amounts paid by the agents, comparing that with the cash book and then comparing it with treasurer's account or his report. All of these items are checked through and footed. We keep a separate account with each member of the association, with each agent, with each collector, with the treasurer, and with each of the other officers of the company, and books so kept that we can readily ascertain the condition of the accounts of the company at that time, and are subject to review and inspection by the finance committee once each month; or at any time they may see fit.

Our expense fund, or as we term it, the contingent fund, until last March consisted of 20 per cent of the assessments and one dollar on each thousand dollars of insurance per annum. Since last March our annual dues have been increased to two dollars per thousand per annum. This fund may be used for expenses, and has been with this exception, that we paid five hundred dollars out of that fund into the mortuary fund not long since. In all cases eighty per cent. of the assessments is put into the mortuary fund, and there is no power by which we can use any part of that for any other purpose.

THE UNIVERSAL RELIEF AND INDEMNITY ASSOCIATION.

This Association was started by four gentlemen, residents of Detroit, in April, 1885. Articles of Associations were filed with the Secretary of State but none have been filed with the county clerk that your Committee can learn. It is not a life insurance society, but its object is to pay weekly indemnity to its members during sickness or in case of an accident. For a stated monthly sum it proposes to pay to its members a certain stated weekly indemnity in cases of sickness or accident. The amount of the assessments and the sum agreed to be paid are graded according to the age of the members at the time of their joining. The ages at which it receives members are from 18 to 60 years, and the payments which they make to the society range from fifty cents to three dollars and twenty-five cents per month, and the weekly indemnity which the society

agrees to pay is from five dollars to twenty-five dollars. Its present membership is between five and six hundred.

Its expense fund is derived from annual dues of three dollars per year, which is paid semi-annually in advance, and twenty per cent. of assessments collected. The charge for admission to the society is six dollars. The indemnities are paid from eighty per cent. of the assessments collected.

This association was evidently organized by its projectors for the purpose of making money out of it, but they claim to have received nothing in the way of profits, the original amount invested by them to start the company not having been re-paid to them as yet. Its officers are paid nothing for their services, with the exception of the general agent, who receives a salary of forty dollars per month and a certain portion of the membership fee from the local agents, and the person who does the office work and acts as secretary, who receives sixty dollars per month.

From the report of this Association to the Insurance Commissioner it appears that their total income for the year 1886, was \$14,008.25, and that the amount paid back to its members upon claims was \$3,294.95, which shows that the members paid three dollars to the society, where they have received back but one dollar.

The experience of the company in this class of insurance is said to be that there are a great many fraudulent claims made for indemnity, and that people seem to go into it for the purpose of remaining for a time and then having a sick spell or a little accident and then drawing from the society much more than they have paid to it, and then dropping out.

OFFICE OF
EQUABLE MUTUAL LIFE
OF MICHIGAN. }

Your committee visited this company, at Lansing, April 20th, 1887. It insures persons between the ages of 40 and 85 years inclusive, and issue policies only for one thousand dollars. The membership fee is fifteen dollars and the semi-annual dues two dollars each. The assessments are graded according to the age, ranging from one dollar upon persons of from 40 to 60, to six dollars at the age of 85. In its policies it agrees to pay upon its death losses the whole amount collected from an assessment made upon the members, not exceeding one thousand dollars, and its policies are payable at their face when issued if sufficient is collected. Dr. Alexander D. Hagadorn, being sworn, testified that he was medical examiner of this company and also interested in it as a policy holder. That he approves the application upon which certificates are issued. That this company does not expect that the person insured is before the examining physician in all cases, although that seems to be intended by the wording of the medical blank and the advertising circulars of the company. That the person to be insured is considered the applicant and that he should not consider the beneficiary as the applicant. That he has recommended a policy to be issued on an application signed by the beneficiary in his own name, but that he does not know by what rule that is done. That he should presume the beneficiary to be the member of this company. The assessments are paid by the beneficiaries and all notice and correspondence is done with the beneficiary.

The doctor was shown a number of applications upon which the beneficiary had signed their own name in the place for the signing of the name of the applicant, and among them one which was not signed either by an applicant or beneficiary, and he identified them as being applications which he had ap-

proved and upon which certificates had been issued by the company, but stated that had he noticed these things he should not have recommended the issuing of a certificate.

He was also shown an application for insurance for his own benefit upon a lady named Esther Dunlap, and he testified that she was an aunt of his living at South Lyon, Oakland Co.; that he did not know her age, but she was somewhere in the neighborhood of seventy. That he filled out this application, signed her name to the application and certified to the medical examination upon the application and all this not in her presence. That she is a married lady, having four children and at least one grand child. That his object in taking out this insurance was speculation, just as he would take out insurance on his own life or any body else. That it was not for her benefit but it is for his.

He was also shown another application for insurance upon the life of Stephen J. Hagadorn, and he testified that he resided in the same town with Mrs. Dunlap and was a brother of hers; that this application is filled out in the handwriting of his brother, and the signing of the uncle's name was in the handwriting of his brother, and that his brother certified to it as the examining physician; that himself and his brother are the beneficiaries named in this certificate; that they have a joint interest in both these speculations, and that neither his uncle or his aunt now knows that their lives are insured, at least that he never informed them of the fact.

He was also shown sixteen applications upon the lives of different people in which the beneficiaries named are two parties, and the medical certificates in all those applications were signed by one or the other of the two beneficiaries; that he now knows that neither of these persons are physicians, but that he did not know it at the time the policies were issued upon these applications; that he would approve of an application wherein the beneficiary and the examining physician was the same person, if he knew the physician and knew him to be honest, or did not know anything to the contrary.

THE PROTECTIVE LIFE ASSOCIATION, OF LANSING.

This Association does not differ in its plan very materially from the greater number of assessment companies in the State which are organized for the purpose of insuring old people except that instead of the printed but unheeded requirement that there shall be a strict medical examination in all cases, it openly publishes that it is not absolutely necessary that the party insured go before a physician. It was organized in August, 1886 and has a present membership of about fifty.

From the examination of its records and the testimony of its secretary your committee learned, among other things, that it is not the present practice of the company to insure any person without their knowledge, or without having a medical examination, although the means they take to arrive at these ends do not bear out the conclusion that such is always the case. In their practice insurance is written in which the beneficiary has the least shadow of a claim to relationship to the insured. Policies have been issued upon applications in which the name of the applicant was apparently signed by the agent or beneficiary. In cases where the agent has signed the name the mere verbal statement by him that he did it by authority of the person insured has been considered as sufficient, and the result of the questioning of the agent in relation to the signatures of applicants has been that the agents have quit doing business

for this company. The secretary has power to keep himself in office as long as he chooses by exercising an authority granted him in the applications to cast the vote of each member who is absent at the annual meetings. It has paid one death loss. The certificate in this case was for two thousand dollars, the percentage of assessments collected to which the beneficiary in this case was entitled was ninety-seven dollars and some cents, and the amount paid was one hundred dollars.

THE STANDARD LIFE ASSOCIATION, OF MARSHALL.

The main difference between this company and those your committee has examined, so far as its organization is concerned, is that the assessments are made in advance of the losses that they are to pay. For instance, the losses of September and November are paid by assessments made in the months of July and August. Their laws and the published matter, in which they state their plan, give rigid rules regarding the admission of members, but the practice of the association is such a flagrant disregard of its laws that we take the liberty of introducing some of the salient parts of the testimony in reference thereto:

Mrs. Lottie B. Wetmore, being duly sworn, testified as follows:

Examined by Mr. Cross.

Q. What is your name in full?

A. My own name is Lottie B. Wetmore.

Q. You usually sign your name how?

A. Mrs. F. E. Wetmore.

Q. Your husband's name is Frank E. Wetmore?

A. Yes, sir.

Q. What is your age?

A. Twenty-five.

Q. How long have you resided in Marshall?

A. Six years.

Q. Have you, at any time, been connected with the Standard Life Association?

A. I have been book-keeper, and part of the time an agent.

Q. You have acted as local agent?

A. Well, yes.

Q. Soliciting agent?

A. Yes, sir.

Q. How long were you associated with the company as book-keeper and agent?

A. About eight months; we commenced the 1st of August, 1885.

Q. And continued until what time?

A. Until the 9th day of April, 1886.

Q. Most of the time you were in the office?

A. All the time.

Q. Did you do any soliciting in the country?

A. I did not go in the country. I did here in town.

Q. You solicited a number of applications during that time?

A. Yes, sir.

Q. Will you explain to me generally the way in which you proceeded to solicit membership for the company?

A. We did not require any medical examination thoroughly.

Q. Did you require any certificate from the physician?

A. No. Dr. Houston filled out the most of the physician's certificates.

Q. Would he make a physical examination of the applicant?

A. No, sir. There were some that he did, but two-thirds of them were not.

Q. He simply certified to the certificate?

A. Yes, he would fill it out and sign his name to it.

Q. Dr. Houston has been the medical examiner of the company since the association was formed?

A. Yes, sir.

Q. Were you associated with the company from the first formation of it?

A. Yes, sir.

Q. Do you require the applicant to sign the application in all cases?

A. The beneficiary, do you mean?

Q. No, the person whose life was to be insured?

A. No, sir. There was two-thirds of them that didn't know it.

Q. That didn't know they were insured?

A. Yes, sir; they didn't know they were insured. I would put it at two-thirds, and I don't know but you might say three-thirds.

Q. In most cases the application was made by the beneficiary?

A. Yes, sir.

Q. And the person whose life was insured knew nothing of it?

A. No, sir.

Q. Did the medical director, Dr. Houston, know of that fact?

A. Yes, sir.

Q. Then it was the established policy of the company while you were connected with it to receive applications in that way?

A. Yes, sir.

Q. Were there any other officers of the company that knew of that fact?

A. I think they all did. I won't say, but I think they all did.

Q. Who were the officers of the company during the time that you were associated with it?

A. Mr. Noyes, Mr. Kirby, Mr. Houston and Mr. Wetmore.

Q. Was Mr. Lacey connected with the company?

A. He went in just before Mr. Wetmore resigned.

Q. Was he acquainted with the manner in which the company's business was done?

A. I could not say. He was with the board, and they met at night and I was not with the meetings of the board. I didn't have anything to do with the board at all.

Q. You solicited a large number of applications while you were associated with the company?

A. Sixty, I believe, or about that number.

Q. Will you tell me if you solicited the application of Mary Tracey for the benefit of W. G. Parkiss?

A. I think I did.

Q. Do you know who Mary Tracey was?

A. She was one of the inmates of the poor house. I don't know whether it was Tracey. I ain't sure whether it was one or two of them, it seems to me it was Mrs. Snow.

Q. There were two?

A. Is not Mrs Snow there.

Q. Yes.

A. Well, may be the other was Mrs. Tracey.

Q. They were paupers in the county poor house at the time the insurance was made upon their lives ?

A. Yes, sir.

Q. Did they sign the applications ?

A. No, sir.

Q. Was the insurance made with their knowledge ?

A. Yes, they gave consent to Mr. Parkiss.

Q. Mr. Parkiss filled out the applications ?

A. I filled it out and he signed it.

Q. Joanna Snow, that is the lady's name ?

A. Yes, sir.

Q. Do you know anything about her circumstances? Was she a pauper?

A. Yes, and that was the second that I insured. I don't remember the name of Tracey, but I remember Mrs. Snow and I won't say the name of the other.

Q. You think the other was Mary Tracey?

A. I think it was, yes, sir. The application will tell, and if I insured it my name is on there. And this Mrs. Snow died within sixty days.

Q. The insurance upon Mrs. Snow's life was made payable to Mr. Parkiss?

A. Yes, sir.

Q. Who is Mr. Parkiss?

A. He is the keeper of the poor-house.

Q. Upon what grounds did he assume to insure the paupers?

A. With their consent.

Q. What suitable interest did he have in those paupers?

A. I guess he didn't have any, only they were willing. Mrs. Parkiss was good to them and they said they was willing that their lives should be insured for their benefit. That is what he told me, and the application was made out of the office.

Q. Then in your judgment it was simply a matter of speculation with Mr. Parkiss?

A. Yes, sir.

Q. In other words he gambled upon the lives of these paupers under his charge?

A. Yes, with their consent, if that is what you call it.

Q. Do you know a lady named Rebecca Divers, whose life was insured for the benefit of Orrin Doud?

A. Yes, sir; it was his wife's mother, wasn't it?

Q. I believe so. Eighty-two years of age?

A. I don't remember the age.

Q. You solicited the application?

A. Yes, sir.

Q. Did Mrs. Divers sign the application?

A. No, sir; she was not here at that time.

Q. Where was she?

A. I think she was in Kalamazoo.

Q. The application was signed by Mr. Doud?

A. Yes, sir.

Q. He signed the name of Rebecca Divers to the application?

A. Yes, sir.

Q. Do you know what interest Mr. Doud had in the life of Rebecca Divers?

A. It was taken out in his wife's benefit; she was her mother.

Q. Mr. Doud paid the assessments?

A. Yes, sir.

Q. And transacted the business?

A. Yes, sir.

Q. The insurable interest as given on the register is that of creditor. Do you know whether Mrs. Divers was indebted to Mr. Doud in any manner; was dependent upon her in any way?

A. No, sir.

Q. Do you know Samuel Thompson, of Partello?

A. No.

Q. Insured for the benefit of Delos Hartson?

A. Yes, sir.

Q. Did you solicit that application?

A. I don't remember that name.

Q. Samuel Thompson, Charles Parker and Lucinda Thompson are recorded as having been insured for the benefit of Delos Hartson?

A. I know there was four, but I could not say what their names were.

Q. All for the benefit of Mr. Hartson?

A. Yes, sir.

Q. What interest did Mr. Hartson have in them?

A. I think they were relations. I couldn't say now.

Q. Do you know what relationship was existing?

A. No, sir. I can't place the names. It seems to me one was a nephew, and wasn't one an uncle and annt, or was there two uncles?

Q. In soliciting applications for the company, whom did you approach?

A. The beneficiary.

Q. In all cases?

A. Yes, sir.

Q. And persuaded him to take out insurance upon the lives of old people?

A. Yes, sir.

Q. Did you always insist upon there being a relationship existing between the beneficiary and the person insured?

A. I told them it was always better to be a relation, and I believe the by-laws said that if they was a—dependent creditor, is it? Or depending on them, they could insure them. That is what I have been taught from the rest of the board.

Q. Practically, it made no difference whether they were relatives, creditors or anybody else?

A. No.

Q. You simply wanted to secure the business?

A. Yes, sir; and then our medical director would consent to fill out all the applications for his dollar.

Q. He was more anxious to receive the dollar than he was to look after the interests of the company?

A. I think so, yes.

Q. Was this the general character of the business being done by the company while you were acting?

A. It was principally, of the agents that I know. Of course I did not know all the agents that were away. I know that the doctor has filled out applications on persons that he knows nothing about. He filled out one for me on a

lady in Charlotte, and he had never seen the lady. I told him we had better send it to the Charlotte doctor, but he asked me the questions and I answered them just as her daughter had answered them to me. So he sat down and filled out the physician's certificate and signed his name to it.

Q. And approved of it as medical director of the company?

A. Yes, sir.

Q. It was customary for him to do this in that way?

A. Yes, he did it quite often.

Q. Didn't the parties whose lives were insured without their knowledge sometimes find it out?

A. I don't know as to that.

Q. It was the object of the persons who obtained the insurance to keep it as quiet as possible?

A. I suppose so, yes.

Q. In your judgment, according to your recollection, how many people have you insured in this company yourself?

A. I think it was about 60.

Q. How many among that number were insured without their knowledge?

A. If it was sixty I insured, I won't say it was sixty, but it was about that. I should judge that there was forty of them that didn't know it.

Q. Forty of them that knew nothing of it?

A. Yes, sir.

Q. Is that the manner you were taught to do business of the company by its officers?

A. Yes, sir, by the medical director. And he would fill them out, and of course that would encourage me. If he would not have filled them out I think it would have been a great deal better.

Q. You received the commissions regularly for the work?

A. Yes, sir.

Q. And of course that was what you were working for?

A. Yes, sir.

Q. You didn't care anything about the prosperity of the company?

A. Yes, I did; but it was just like this, if the officers of the company would do this, why not I? Of course, that is no reason why I should do it because anyone else does, but —

Q. But you thought you had as good a right to it as anyone else had?

A. Yes, and as long as they would fill them out and sign them.

Q. Some of these parties whose lives you have insured have since died?

A. That Mrs. Snow has. I have not kept any track of them since the 9th day of April, a year ago, and I don't know who has died and who has not.

Q. Had you learned that Mary Tracey was dead?

A. I don't remember whether she has died or not.

Q. Joanna Snow died?

A. Yes, before sixty days.

Q. Did Mr. Parkiss receive his money?

A. Yes, sixteen dollars. He gave me his note for the second application and before that was due Mrs. Snow died, so he came up and I gave him back his note and that was just the same, \$16.50.

Q. What was the custom of the society while you were connected with it in regard to paying death losses?

A. We didn't have any death losses only within sixty days. We had two I think.

Q. Did the company levy an assessment?

A. They had not sent out any death assessments at all when we left the company. We were going to send one out that month. There was a death, Mr. Hartson's mother-in-law, I think it is Mrs. Williams, I won't say, she lived just five or four days over sixty days and was a five hundred dollar loss. Then there was Dr. Grisnall or Griswold of Battle Creek, for some one that he insured, and those two losses we were going to make an assessment for the month that Mr. Wetmore resigned or that they had him resign rather. It was some of Dr. Griswold's own relatives that he had insured.

Q. What was the object the beneficiaries had in insuring these old people?

A. To get their money on their death I suppose.

Q. They were simply betting the premiums that they would have to pay to the company against what they expected to receive when the old people died?

A. Yes, if the company was standing.

Q. Then it was simply a gambling operation?

A. I don't know as you can call it anything else.

Q. Gambling upon the lives of these old people?

A. Of course, that is the proper name for it.

Q. That is about what it amounts to?

A. That is about the way it is.

Q. By the manner in which the business is conducted?

A. Yes, sir.

Q. Have you any reason to believe that the company is pursuing any different course now than when you were there?

A. No, sir. They are appointing most every one that takes out a policy an agent, and the same agents that were in the company when I was there are there now, and I don't think they would do any different now from what they did then?

Q. These two parties whose applications you received, who were living at the poor-house, you did not see them yourself at the time?

A. No, sir.

Q. All you know about what their health and condition was, is what the beneficiary told you?

A. Yes sir.

Q. There was no examining physician except the medical director here?

A. I think not.

Q. Dr. Houston filled out the physician's certificate?

A. Yes, sir.

Q. And approved the medical examination?

A. Yes, as medical director.

Q. And is still medical director of the association?

A. He is as far as I know. I never heard of his resigning.

Dr. I. W. Houston being duly sworn, testified in substance as follows:

Examined by Mr. Cross.

Q. What is your residence and business?

A. I live in Marshall and it has practically been my home always. I am a practicing physician, and have been for nearly ten years.

Q. You are a graduate of a medical college?

A. Yes, sir; I graduated at the university of Michigan.

Q. You have been with the company since its organization?

A. Yes, sir.

Q. In what capacity have you acted ?

A. As medical director.

Q. Have you acted as agent for the company in soliciting applications ?

A. Occasionally.

Q. What is the custom of the company in regard to the medical examinations ?

A. The examination is made up from the answers as set forth by the applicant in the application.

Q. You do not require a physical examination ?

A. No, sir.

Q. Do not require a personal examination ?

A. No, sir.

Q. Simply the applicant makes a statement and signs it as a basis of the contract ?

A. Yes, sir.

Q. And that the physician certifies to it ?

A. Yes, sir.

Q. It is not necessary that the physician shall see the applicant ?

A. No, it is not so considered. When the articles were first drawn that section read "physical examination," and it was thought best to change it to "medical examination," for the reason that a great many companies, especially companies outside of the State, required no certificate of any kind of a physician, and the laws being as they were it would have been impossible to do business in that way ; so we had to get upon about a medium ground as to that.

Q. Do you think it possible to determine from the answers to the questions in the application the physical health of the person insured ?

A. Yes, to a fair degree. Of course the examinations are not so rigid and definite as they would be by an old line company, but as the insurance business of that class has been done largely without medical examinations at all, it would have been impossible for the company under the laws to have done business strictly on a personal, physical examination.

Q. So that the practice has been to gradually fall into the custom of taking applications without a physical examination ?

A. Well, no ; I think if anything, the custom has been more the other way.

Q. You think there has been an improvement in that respect ?

A. Yes, I do. I know Mr. Kinyon and I have urged it upon the agents to be more careful in that respect, either have personal examinations or have physicians who were acquainted with them, so as to get a better class of business, and for that matter we have expected, long before the Legislature convened, that there would be legislation this session, and that the probable outcome would be a physical examination, and we were determined to work it in that direction, so that when a change was made we would not be away off from the mark.

Q. Is it any part of your duties to examine an application when it comes into the office ?

A. Yes, to look it over as to the medical part of it particularly.

Q. You approve the applications ?

A. Yes, sir.

Q. And upon that approval or disapproval rests the fate of the insurance ?

A. Yes, sir.

Q. If you disapprove of an application, a certificate would not be issued ?

A. No, sir.

Q. And it requires a very careful examination of the application?

A. Yes, generally pretty careful.

Q. Will you tell us what you understand by an insurable interest?

A. I do not know as I can give a definite idea. I know that question has come up a number of times in discussion by the members of the board, and some would take one view and some another. Mr. Miller, the attorney, has looked up the legal decisions upon it and he finds that they vary a great deal in different localities, but I believe our idea upon that in the main has been that it shall be a relative, and I think the law says "or one possessing an insurable interest." That perhaps has a wide range. Most of ours, however, are on relatives. There are some taken as creditors. More at the beginning than now. In fact, we didn't like it and we changed our policies and applications to that effect, making any attempt to take an insurance as a creditor for a speculative purpose inoperative, that is, that they cannot collect to exceed the amount of the bona fide indebtedness and that the policy any further than that shall be void. I think it would be well if the application in the application stated, and possibly in the policy also, the actual amount of the indebtedness at the time, that that would be a better form than we are now using, so as to state at the beginning just what that indebtedness is and how it arose.

Q. Do you understand that there shall be any pecuniary interest existing between the beneficiary and the person whose life is insured?

A. I should think it would depend upon relationship. For relatives I should consider it so.

Q. To what degree of consanguinity would you go in approving an application of insurance?

A. I don't know what the law is upon that.

Q. Would you insure a nephew upon the life of his aunt or uncle?

A. I think that would be proper. I think that has been done.

Q. Would you insure a son on the life of his father?

A. Yes, sir.

Q. And a father upon the life of his son?

A. Yes, sir.

Q. A grand-father for the benefit of a grand-son?

A. Yes, sir, we have done that. In those points the attorney has usually stated what he thought was proper, and in those cases he has decided that there was an insurable interest.

Q. Would you insure a mother-in-law for the benefit of a son-in-law?

A. Yes, sir. That is a point that I raised at one time, and we had quite a little discussion upon it and the attorney looked it up. I held that it was not an insurable interest and I rejected quite a number of applications upon that ground, and the attorney decided that it was an insurable interest, so since then insurance has been granted in that way.

Q. Would you insure a brother for the benefit of his brother?

A. Yes, sir.

Q. Or a sister for the benefit of a sister?

A. Yes, sir.

Q. Would you insure an uncle for the benefit of a niece where no blood relation exists between the parties?

A. I do not know as to that. I don't know as that question has ever come up.

- Q. Do you know J. L. Kinyon?
A. Yes, sir.
Q. Does he hold an official position with this company?
A. Yes, sir, he is secretary.
Q. Are you acquainted with his hand writing?
A. Yes, sir.
Q. Will you examine that application and see if that was written by J. L. Kinyon?
A. Yes, sir.
Q. It is in his hand writing?
A. Yes, sir.
Q. Examine the signatures to the application, and see if in your judgment, it is in the same hand writing as the body of the application?
A. I should think it was, I could not state positively though.
Q. It appears to be?
A. Yes, sir.
Q. Do you know the party for whom that application for insurance was made?
A. No, sir.
Q. On whose life the application was made?
A. No, sir.
Q. Did you ever see the party?
A. No, sir.
Q. The name is Clara E. King, of East Varick, Seneca county, New York; aged sixty. Do you know the person named as beneficiary in that application?
A. Yes, sir.
Q. It is Mr. J. L. Kinyon's wife?
A. Yes, sir.
Q. The wife of the secretary of this company?
A. Yes, sir.
Q. Do you know the relationship existing between Mrs. Sarah E. Kinyon and Mrs. Clara E. King?
A. I think it states there that it is niece.
Q. Mrs. Kinyon is a niece of Mrs. King?
A. Yes, sir.
Q. Examine the physician's certificate to that application. Is that your hand-writing?
A. Yes, sir.
Q. Is that your signature?
A. Yes, sir.
Q. You state that you never saw the applicant?
A. No, sir.
Q. Still you certify to the condition of her health at the time this application was made?
A. Yes, sir.
Q. You state first that you believe her to be the party insured?
A. Yes, sir.
Q. That you had known the applicant ten years?
A. Yes, sir.
Q. Did you ever see the lady?
A. No, sir. I will tell you how I put that in. The application was taken

in December, and we wanted to get in about a certain number during December, so Mr. Kinyon wrote this up and said he would put it in, and he should not ever carry on it. So I turned to fill it out and I read that question, and says I: "How long have I known this party?" He says: "You have known her as long as you have known me." I says: "Ten years?" He says "yes." So I put it in that way.

Q. Still you had never seen the lady?

A. No, sir, that statement of having known her ten years is not so, and it was not put in for the purpose of carrying the insurance.

Q. You state that the applicant is not afflicted with any disease?

A. Yes, sir.

Q. You state that the general appearance of the applicant is good?

A. Yes, sir.

Q. Still you had no knowledge of her being in good health?

A. It was from the application, was all.

Q. You certify that you consider the risk to be first-class?

A. Yes, sir.

Q. That is an application for two thousand dollars of insurance, number 1476 and 1477 and you state that you, acting in the interest of the association, advise the approval of that application?

A. Yes, sir.

Q. (Showing witness paper) Who filled out that application?

A. Mr. J. L. Kinyon.

Q. Did Mr. Kinyon sign the name of the applicant to the application?

A. I could not state positively; I did not see him sign it.

Q. It is in the same hand-writing as the application, is it not?

A. Practically, yes sir.

Q. The impression would be conveyed that the same party who filled that application also signed the name of the applicant to the application?

A. It might be.

Q. Would not that be the impression likely to be conveyed from an examination of the application and a comparison of the penmanship?

A. Well, the penmanship is not exactly like it, still it resembles it somewhat.

Q. This application is number 1478-9 for two thousand dollars insurance upon the life of Loring G. King, of East Varick, Seneca county, New York, and is made payable to Sarah E. Kinyon, whom you say is the wife of the secretary of this association?

A. Yes, sir.

Q. Do you know what relationship exists between Sarah E. Kinyon and Loring G. King?

A. No. Niece is not given here.

Q. Do you know whether any relationship by marriage or otherwise exists between Clara E. King and Loring G. King?

A. I do not.

Q. Did you ever see Loring G. King?

A. No, sir.

Q. Did you fill out that physician's certificate?

A. Yes, sir.

Q. That is in your hand-writing and your signature?

A. Yes, sir.

Q. In which you state that you believe this is to be the party whose life is to be insured?

A. Yes, sir.

Q. That you have read the answers in the annexed application and they are true to the best of your knowledge. You state that the applicant is not afflicted with any disease. You state that the general appearance of the applicant is healthy. You state that the applicant has no disease of the heart, brain, kidneys or nervous system?

A. Yes, sir.

Q. You state that the risk is first class, and that you, acting in the interest of the association, advise its approval?

A. Yes, sir.

Q. Still you had never seen the party whose application this purported to be?

A. No, sir.

Q. Did you have any reason to know that Loring G. King was alive at the time this application was made?

A. I took Mr. Kinyon's word for it, that was all.

Q. Mr. Kinyon made the application?

A. Yes, sir.

Q. And assured you that the subject was alive?

A. Yes, sir.

Q. And you certified?

A. He assured me that it was just as good as it was there. That is the way it was done. Of course this is the same as the other one. I don't claim that this insurance is just the same as in an old line insurance. I don't want you to get that impression.

Q. Well, I rather think that impression would not be conveyed?

A. No, I don't want you to think that we try to cover up anything of that kind, or put on a sanctimonious face about it. We don't try to cover up anything.

Q. That is what we want, we want the facts in the case, and we want them truthfully.

A. You will get them if it is the last fact that we ever express.

Q. I find another application here, number 1166, upon the life of Hannah King, of East Varick, Seneca county, New York, aged 71, for two thousand dollars, payable to Sarah E. Kinyon, niece, of Marshall, Calhoun county, Mich. The medical certificate is filled out and signed I. W. Houston, M. D. Can you tell us anything about that application?

A. That is about the same as those others. It is taken by Mr. Kinyon's son and written by him.

Q. Written by the son of the secretary?

A. Yes, sir.

Q. That son is now acting in what capacity for this company?

A. He has done some work as agent; he has never been employed as clerk.

Q. He is now employed as a special agent?

A. Practically, yes; although he has only been out one trip in that capacity. He was out five weeks, over a month ago, in Monroe county mostly.

Q. You are somewhat familiar with his hand-writing?

A. Yes, sir.

Q. In your judgment did he fill out and sign that application?

A. I could not say whether he signed it or not. He filled it out, that is his signature there.

Q. Is there not a great similarity between the hand-writing in the name of Hannah E. King at the bottom of the application and the same name at the top, and in your judgment are not both names written by the same party in the two places upon the application?

A. There is a similarity, I could not state that in my judgment they were both written by the same party.

Q. The shading would seem to indicate that?

A. Yes, sir.

Q. There is apparently no attempt to disguise the hand?

A. No, sir; if he signed the name there, he signed it without any attempt at disguising it?

Q. Did you ever see Hannah King?

A. No, sir.

Q. You state here that her general appearance is healthy and that you consider the risk first class, and that you, acting in the interest of the association, advise the approval of it?

A. Yes, sir.

Q. Did you have any knowledge that at the time the application was made, on the 13th day of September, 1886, Hannah E. King was alive?

A. Nothing further than the statement made by Mr. Kinyon.

Q. The son of the secretary?

A. Yes, sir.

Q. You accepted his word for it?

A. Yes, sir.

Q. It would seem that the officers of this association are somewhat interested in the insurance of their friends in New York?

A. Yes, it would appear that way from these applications. I don't think the insurance has been carried on any of these, but it may have been on this last one.

Q. Do you know a physician in Owosso by the name of R. C. Beckwith?

A. There is a physician there by that name, I am not personally acquainted with him.

Q. Does he act as agent for this company there?

A. Yes, sir.

Q. Is he a practising physician?

A. Yes, sir.

Q. How long has he been acting as agent for this company?

A. I think from about the beginning of the company.

Q. He does a considerable business?

A. He has done, yes,

Q. He has had some losses in the company?

A. Yes, sir.

Q. You are somewhat familiar with Dr. Beckwith's handwriting, are you?

A. Yes, sir.

Q. Examine that application and tell me if he filled it out in your judgment?

A. Dr. Beckwith I should think from the hand-writing filled it out.

Q. Beckwith filled out the application as local agent for the company?

A. Yes, sir.

Q. The application is made upon the life of John Murphy, of Owosso, Shia-

wassee Co., Mich., for the benefit of R. C. Beckwith, relationship to applicant, indebtedness, assessment notices shall be sent to R. C. Beckwith, Owosso, signed John Murphy, applicant, R. C. Beckwith, agent. From your knowledge of the hand-writing of Dr. Beckwith what would you conclude as to the probability of who executed the signature to that application?

A. I could not tell whether that was signed by Dr. Beckwith or not.

Q. John Murphy is said to 56 years old, and the signature apparently is in a very firm hand?

A. Yes, sir; it is probably not written by John Murphy.

Q. Probably not written by John Murphy?

A. No, sir; I should think a man of that age very likely would not write as good a hand as that.

Q. There is a similarity between the signatures?

A. Yes, this may be written by him or by some one else.

Q. Look over the physician's certificate and tell us by whom that was executed?

A. That was by Dr. Beckwith.

Q. That was filled out by Dr. Beckwith?

A. Yes, sir.

Q. And signed by Dr. Beckwith?

A. Yes, sir.

Q. Then that application was filled out by Dr. Beckwith, the local agent of the company?

A. Yes, sir.

Q. For the benefit of Mr. Beckwith?

A. Yes, sir.

Q. The medical examination was filled out by Dr. Beckwith.

A. Yes, sir.

Q. And signed as medical examiner by Dr. Beckwith?

A. Yes, sir; and right there I would like to make a statement. Of course that don't look very well, and I stated to the officers that I didn't like that way. My expression was that it was too much of a machine business and I wished that a resolution would be passed that no physician could act as agent and make certificates as in that particular case. That was at the time that the matter came up, but no action has been taken upon it however, although I have rather urged it.

Q. Is this John Murphy, whose life was insured by Dr. Beckwith for his own benefit, now living?

A. No sir; that is one on which there has been a loss.

Q. Examine that paper and tell me what that is?

A. That is the death proofs on this same party.

Q. John Murphy?

A. Yes, sir.

Q. By whom is that death proof executed?

A. The claimant's statement here is from R. C. Beckwith, and the physician's the same. He figures in there quite often, but he didn't preach the funeral sermon.

Q. He did everything else?

A. He did all he could. He was probably not to blame for not doing more. Somebody else buried him.

Q. What claim does he make in his proofs of death?

A. Of an indebtedness.

Q. Does he make any statement of what that indebtedness consisted of?

A. Yes, sir; I think there is another statement there which was sent in afterwards. He states that he was owing him \$986.00 for medical services rendered wife and children.

Q. John Murphy then was owing the doctor some old accounts?

A. Yes, sir, I think so from the face of the papers.

Q. And upon that account he himself made application for insurance in this company for his own benefit, acting as local agent and medical examiner and when John Murphy died he executed the proofs of death, certified to them as attending physician, and probably did all that he could to hasten and attend the obsequies and give the party a good send off?

A. I don't know as to that. Of course he could not do otherwise than to certify as attending physician and claimant if he was such. But as I said before it is a manner of doing business that I don't like.

Q. How much did Dr. Beckwith receive upon this death loss?

A. I think he received the full amount claimed.

Q. What was the full amount? A thousand dollars?

A. No, he does not claim that.

Q. \$880.00?

A. Whatever the death proof states. I think it was \$880.00.

Q. He received \$880.00?

A. Yes, sir.

Q. Isn't that a peculiar method of collecting bad debts?

A. Well, I don't know as for that.

Q. Doctors' bills are not very easy of collection as a rule?

A. No, not when they run 20 years as that did.

Q. These bills have been accumulating for 20 years?

A. Yes, sir.

Q. Most of them had been out-lawed?

A. I presume so, unless they had been in some way kept up or renewed.

Q. This insurance was written on the 2d of November, 1885, and the subject died November 1st, 1886. Dr. Beckwith has had several losses in this company since he has been acting as agent?

A. I think not but one other.

Q. Only two?

A. Only one besides this.

Q. Two others, are there not?

A. That depends upon how you take it. There is another one that I think he has in the same way that he had this John Murphy, as a creditor, and that we concluded we would look into, and that proof Mr. Kinyon has at present. It is an application—I cannot give the names now, but it is in favor of I think a party name Frane, and Dr. Beckwith, it seems, is the holder of it at present, for an indebtedness, an indebtedness as stated in the proofs, of the party insured. Well, I think that the law is that an indebtedness can only be collected for what he is owning the beneficiary, the original beneficiary. If this man was owing Frane one hundred dollars and Beckwith held the policy when it became a claim, Beckwith could only collect the amount of the indebtedness to this Frane, and he claims an indebtedness from the insured. We think it ought to be the other way. Then, if he has a certain amount of indebtedness, whatever it is can be paid to the party holding the policy, and the balance go according to law, to the heirs of the party.

Q. Will you look over the cash book here and tell us what those items mean, "September 30, R. C. Beckwith, 997?"

A. That is the number of his policy, I think, and this other the amount due on it.

Q. \$16.50 is the amount you paid him at that time?

A. Yes, sir.

Q. "January 30, 1887, policy No. 143, \$880 00?"

A. Yes, sir.

Q. That is the payment in the John Murphy case?

A. Yes, sir.

Q. Just look a little further.

A. Yes, there is another one, I had forgotten that; No. 1300, \$16.50.

Q. Then the company have, within the last year, paid Dr. Beckwith three losses instead of two?

A. Yes, sir.

(Among the death losses paid by the Peninsula State Mutual Benefit Association, of Ithaca, your committee found the following: Certificate No. 1131, upon the life of John Murphy, of Owosso, Mich., aged 55, for \$5,000, in which the beneficiary named is R. C. Beckwith, of Owosso. This insurance was taken July 13, 1885, and R. C. Beckwith was the examining physician. John Murphy died Nov. 1st, 1886, and Dr. R. C. Beckwith was paid and receipts for \$1,150 to this company.)

Q. Were they all for a creditor interest?

A. I don't know as to that; I thing this was an assigned one.

Q. An assignment of what nature?

A. I don't know as to that either.

Q. Do the company permit assignments from one policy holder to another, or from one beneficiary to another?

A. No, we held this: that the policy is the property of the the party insured during their life, and after that it is the property of the beneficiary and then he can assign it. I have no doubt assignments have been made by beneficiaries, and to check that we have stricken the blank assignments off our policies.

Q. Still assignments are made from time to time?

A. I think they are.

Q. And you settle with the assignees?

A. Yes, sir.

Q. Dr. Beckwith holds some other policies in this company, does he not?

A. I cannot state positively whether he does or not.

Q. Could you tell by the examination of the assessment register?

A. I could tell probably by the applications. There are several assessment notices sent to him, whether he holds the policies or not we do not know. And to prevent any action of that kind upon the part of beneficiaries we had the printed blank stricken out. It is on all of these. This is a recent action, within a month or so.

Q. The doctor is paying assessments on quite a number of policies?

A. The notices are sent to him and he is collector there.

Q. Does not he designate in his report to whose credit the assessment should be?

A. I don't know as to that.

Q. How are you able to keep an account of the memberships?

A. It is kept by the number of the policy. I presume it is mentioned as to

whom those notices are sent.

Q. Is it not a fact that the credit is placed to the individual who is the beneficiary under the certificate?

A. Not all of them. As a rule it is.

Q. Apparently the assessments that are paid by Dr. Beckwith are for policies in which he has a personal interest?

A. I would not want to make that statement, because I do not know that it is true.

Q. If the assessment notices are indicated in the report of the collector by the number and name, so that the book-keeper can keep an appropriate account with each member to know when his policy may have lapsed, it would require that the name should be given?

A. Not necessarily of the beneficiary. I think there is one case of that kind that Dr. Beckwith pays of a party who is very apt to be away, and he requested that the notices be sent to Dr. Beckwith. And of course they are sent to him and credited up to the proper member.

Q. The doctor is evidently a sincere believer in the benefit of co-operative insurance?

A. I should imagine so.

Q. And the personal benefit to be derived from insurance of that kind?

A. Yes, sir.

Q. It would appear as if it were a short hand method of collecting old debts?

A. It has that appearance; yes, sir.

Q. Do you know a gentleman named W. G. Parkiss?

A. Yes, sir.

Q. Who is he?

A. He is W. G. Parkiss.

Q. What is his business?

A. He is at present superintendent of the poor farm.

Q. How long has he been acting in that capacity?

A. I don't know, I think it is about two years, perhaps longer.

Q. Have you examined this item in the cash-book of Sept. 30, 1886?

A. Yes, sir.

Q. What is the meaning of that entry?

A. It means that he was beneficiary on policy number 673, and upon the death of the party he received five hundred dollars.

Q. He appears charged upon the books of the association, September 30, with having received five hundred dollars as a death loss on policy 673?

A. Yes, sir.

Q. (Showing witness paper.) Is that the policy under which that death loss was paid?

A. Yes, sir.

Q. Do you know the party whose life was insured under that policy?

A. I have seen the party.

Q. What was the name of the party?

A. Tracey.

Q. Where did she reside?

A. With Mr. Parkiss.

Q. Mary Tracey, was it?

A. Yes, sir.

Q. She resided with Mr. Parkiss at the time of her death?

A. Yes, sir.

Q. As a member of his family?

A. I think so.

Q. Was she related to Mr. Parkiss?

A. No, sir; I think not. I think that was the case of a creditor or something of that nature.

Q. Was it not true that Mary Tracey was an inmate of the county poor-house at the time?

A. I don't know whether she was an inmate or a domestic of Mr. Parkiss, I am not positive as to that. But it was a creditor policy, one of the first that we paid, and before we were aware of the nature of such policies. I think it was the first of the kind that we had. We were not aware of the nature of such applications and policies.

Q. Have you any knowledge that she was not a pauper?

A. No, sir, I have no knowledge either way. I think her death was caused by an accident, falling down stairs or something of that sort.

Q. You state that policy number 673, on which you paid five hundred dollars to W. G. Parkiss on the death of Mary Tracey, was in conformity with the plan of the company as to proportionate payments?

A. Yes, I think it was.

Q. That is, that she died within the eight months?

A. Yes, sir.

Q. And so he was entitled to receive five hundred dollars?

A. Yes, sir.

Q. I have here the record of certificate number 904, issued upon the life of Charles Waits, for the benefit of Albert and Robert Ward, cousins, assessment notices to be sent to Ward brothers. The insurance was taken out on the 4th of June, 1886, and the insured person died Sept. 27, 1886. That was paid out of the same pool from which the Parkiss claim was paid?

A. Yes, sir.

Q. The policies were for two thousand dollars. Parkiss received five hundred dollars, and the Ward brothers only received \$250.00. Will you explain that discrepancy?

A. We took the record of this policy from the outside, and that is an error. It was a one thousand dollar application. That was an error in the filing. That would be a one-quarter claim on a thousand dollars, or two hundred and fifty dollars.

By Mr. Goodrich:

Q. Are you acquainted with Dr. C. E. Paine?

A. No, sir, not personally.

Q. He is an agent of yours?

A. He has done a little as agent, more as certifying physician.

Q. Where does he reside?

A. I think at Cambria or Frontier, Hillsdale county.

Q. You were stating that you were doing away with the agent's signing the medical certificate and taking the application?

A. Yes, sir. I did not state that we had.

Q. Look at that application. What is the number of that?

A. 1761.

Q. Who is the family physician as stated in that application?

A. C. E. Paine was the last.

- Q. Who signs that as agent?
A. C. E. Paine.
Q. Who signs that as applicant there?
A. Olive Sturtevant.
Q. Who signs it as medical examiner?
A. Dr. Paine.
Q. And Dr. Paine gets his commission as agent?
A. Yes, sir.
Q. How much commission would he get out of that as agent?
A. He would be supposed to collect ten dollars on that application?
Q. And how much as examining physician?
A. Usually one dollar; whether he would charge anything in a case of this kind or not—
Q. The supposition is that he gets his fee if he takes an application?
A. Yes, that is the supposition.
Q. If he takes it and it is accepted he gets his fee?
A. Yes, sir.
Q. And also his medical examiner's fee?
A. Yes, sir.
Q. And he signs this as agent and medical examiner?
A. As agent and the certifying physician. Perhaps you misunderstood me as to what I said upon that; I did not say that we had made that change.
Q. What is the date of that application?
A. That is the second day of April. There has been no action taken upon it yet.
Q. Would not such an application as that lead you to believe that the doctor acting as agent would be more anxious than an outside physician to see the applicant put through on an application by the company?
A. Yes, it might. But until some action is taken by the board of course if they come in apparently right I should accept them. I don't like it myself.
Q. Here is another one of one thousand dollars: Is that the same party?
A. No, sir.
Q. Who is that?
A. That is Elias Lee Sturtevant.
Q. Apparently the husband of the former applicant?
A. It might be so and it might not.
Q. It is the same place?
A. Yes, sir.
Q. Signed by the same agent, C. E. Paine?
A. Yes, sir.
Q. The same family physician, C. E. Paine?
A. Yes, sir.
Q. The medical certificate signed by C. E. Paine?
A. Yes, sir.
Q. Is that about the same as the application of Oliver Sturtevant?
A. I should say so.
Q. Who is the family physician in that?
A. Dr. Paine.
Q. Who was the agent in that?
A. Dr. Paine.
Q. Who was medical examiner?

A. Dr. Paine. Dr. Paine did not sign it as physician. He filled it out but did not sign his name.

Q. It is not signed by anybody ?

A. No, sir.

Q. Yet it is accepted by you ?

A. Yes, sir.

Q. Do you accept them where they are not signed by any one ?

A. Not if I notice it. If I had noticed that I would have sent it back, but that escaped my notice.

Q. You do not examine them very closely then ?

A. I intend to ; yes. But occasionally perhaps there is a date left out—as I noticed in one of them you handed me.

Q. Isn't it quite important that some one should sign them as medical examiner ?

A. It should be done ; yes. That is an oversight upon our part. They should be filled out all the way through.

Q. There is another certificate number 1685. Who is the agent in that ?

A. Dr. Paine.

By Mr. Cross:

Q. Will you explain this item in the cash book, March 31, 1886 ? Amount paid to W. G. Parkiss, upon policy No. 600, \$13.20. Do you remember the circumstances attending that case ?

A. I do not particularly. I had nothing to do with it anyway. My impression is that that was a sixty-day loss, and \$13.20 was all he paid actually for that application, and that was all that was paid back to him. That is why it was put in that way. I think it was a sixty-day loss on a two thousand dollar policy, and he did not pay the full membership fee, and we just simply paid back what he paid in.

Q. The person whose life was insured died within sixty days ?

A. Yes, sir.

Q. Do you remember on whose life that policy was issued ?

A. I do not.

Q. Your membership register shows that it was written upon the life of Joanna Snow. Did you ever know any such party ?

A. I think so.

Q. What did you know of her ?

A. I think I have prescribed for the party.

Q. Where did she reside ?

A. I cannot tell. That is a case that I have no knowledge of.

Q. Did you attend her during her last illness ?

A. No, sir.

Q. Did you attend her between the date of her application for insurance and the date of her death ?

A. I think not.

Q. Did you make a personal examination of her at the time you approved the certificate ?

A. I don't remember.

Q. Do you know where she resided at the time of her death ?

A. I do not.

Q. Do you know what relationship existed between W. G. Parkiss and Joanna Snow ?

A. I do not.

Dr. Henry L. Joy being duly sworn, testified as follows :

Examined by Mr. Cross.

Q. What is your name in full ?

A. Henry L. Joy.

Q. Your residence ?

A. Marshall. I am a practicing physician and surgeon and have been for over 30 years.

Q. How old are you ?

A. 65 years.

Q. You have practiced here for 30 years ?

A. Yes, thirty-three or four years.

Q. You are pretty well acquainted throughout this vicinity ?

A. Yes, sir.

Q. Do you know a gentleman by the name of W. G. Parkiss ?

A. Yes, sir. I don't know his initials.

Q. What is his occupation ?

A. The one that I am acquainted with is the keeper of the county poor-house.

Q. Did you ever know a lady by the name of Mary Tracey ?

A. Yes, sir.

Q. Did you ever attend her as a physician ?

A. Yes, sir.

Q. Did you attend her during her last illness ?

A. Yes, sir.

Q. Where did this lady reside ?

A. She was in the poor-house.

Q. As an inmate ?

A. As an inmate.

Q. A county charge ?

A. A county charge.

Q. What was the immediate cause of her death ?

A. I have charge of the paupers and I get them mixed sometimes but my impression is that this Mrs. Tracey met with an accident, fell from a chair and broke her hip and the shock she never recovered from.

Q. Fell from a chair ?

A. I think that is the one.

Q. That is the statement which you make in the death proofs.

A. Then I am right.

Q. Do you remember the age of Mary Tracey ?

A. No, I don't remember it. I should judge she was 70.

Q. Was she in full possession of her mental powers ?

A. She was not a person of vigorous mind but I think she had her mental faculties.

Q. Do you know anything about her past history previous to her becoming a county charge ?

A. No ; I cannot trace her back, although I have an indistinct idea that I was acquainted with her previous to her going to the poor-house.

Q. Do you know how long she had been at the poor-house previous to her death ?

A. I should say five or six years.

Q. Do you know what was the cause of her having to take refuge at the county poor-house ?

A. I do not.

Q. Whether it was sickness or poverty or lack of friends to care for her?

A. I don't know. They are sent to the poor-house without any interference of mine, and I simply find them there, and if they are taken sick I attend them.

Q. You are the regular medical attendant?

A. Yes, sir.

Q. How long have you acted in that capacity?

A. I think I have been the medical attendant for fifteen years.

Q. Did you know that W. G. Parkiss had an insurance upon the life of Mary Tracey?

A. I understood he did.

Q. Do you know whether any relationship existed between them?

A. I do not; I think not.

Q. Do you know what interest Mr. Parkiss had in the life of the pauper under his charge, Mary Tracey?

A. I do not.

Q. Would you suppose that he would have any insurable interest?

A. You mean whether she was indebted to him or anything of that sort?

Q. What is your knowledge of what constitutes an insurable interest at law?

A. I do not know that I have any.

Q. You have no clear idea of it?

A. No.

Q. Do you carry insurance upon your own life?

A. Yes, sir.

Q. For whose benefit?

A. My wife.

Q. For what reason?

A. That she may be provided for after my death.

Q. Because she has an interest in your life?

A. Yes, sir.

Q. Because she has an interest in the earnings that you secure in order to get her those luxuries that she is accustomed to receive?

A. Yes, sir.

Q. And her necessary support?

A. Yes, sir.

Q. Then she has an interest in the continuance of your life?

A. Yes, sir.

Q. Is that the true doctrine of life insurance?

A. I think it is.

Q. Unquestionably?

A. Yes, sir.

Q. Is there any other rule or plan that would be in harmony with that idea so far as your opinion would go, that is to say, that the theory of life insurance is that the beneficiary must have an interest in the continuance of the life insured,—that is your idea of the doctrine of life insurance?

A. Yes, sir. I can imagine, if life insurance is transferable, for instance, I might sell my life insurance to an individual and he could purchase it as a matter of speculation. For instance, I am insured in the Connecticut Mutual for three thousand dollars, and I might sell it for a thousand dollars, and the sooner I died the better he would like it.

Q. Would such a transaction be in the line of public policy, in your judgment?

A. No, I don't think it would. I have no sympathy with anything of this sort that you are investigating.

Q. With this explanation, do you know of any insurable interest existing between Mary Tracey and W. G. Parkiss?

A. No, I do not.

Q. Considering the relationship existing between the two parties would you suppose that an insurable interest would be likely to exist?

A. No.

Q. Then the nature of the contract between the company and W. G. Parkiss would be that of a wager contract, based upon the death of the person whose life was insured?

A. Yes, sir.

Q. That is, that Mr. Parkiss would profit by the early death of the person whose life he had insured?

A. That would be my understanding of it.

Q. In other words, Mr. Parkiss was betting with this association the amount of the assessments upon this policy against the sum to be paid him in the event of the death of the party insured within a given time?

A. Yes, sir.

Q. Have you ever known a person named Joanna Snow?

A. Yes, sir.

Q. Where did she reside?

A. She was in the poor-house.

Q. A common pauper?

A. Yes, sir.

Q. A county charge?

A. Yes, sir.

Q. Did you ever know of W. G. Parkiss having an insurance upon her life?

A. I don't believe I knew that.

Q. About what was her age?

A. I should say she was 63.

Q. Seventy-seven is the age as given in the application. What was the condition of her health prior to her death?

A. She was a person that was broken down; no chronic disease, but her digestive organs were very much impaired, she was subject to severe attacks of indigestion and vomiting, and by the way, I think I did have suspicions of cancerous deposit in her stomach. But I made no post mortem examination.

Q. You attended her?

A. I attended her and gave her all the medical attendance she had.

Q. How long has she been an inmate of the county poor-house?

A. I should think five or six years.

Q. Do you know anything of her history prior to her admission there?

A. No, I do not.

Q. Do you know whether there was any relationship existing between W. G. Parkiss and Joanna Snow?

A. I don't believe there was.

Q. Would you think there was any insurable interest existing between the two parties?

A. Not in the light that you define it.

Q. That you believe to be the true light?

A. I think it is the fair light.

Q. The light that would be in the direction of public policy and sound morals?

A. Yes, sir.

Q. The records of this company show that there was issued to W. G. Parkiss two policies of one thousand dollars each on her life, numbers 599 and 600, and that she died within sixty days after the insurance was affected, and the company adjusted and paid the loss to W. G. Parkiss?

A. Does it state what was the cause of death?

Q. We cannot find the application. It has mysteriously disappeared from the records of the office. The proof of death has also disappeared, and the record only is in the cash-book and in the assessment register.

O. P. Aldrich, recalled:

Examined by Mr. Douglass:

Q. As treasurer of this association you prepared this statement to the insurance department for the year ending December 31st, 1886?

A. Not the first page

Q. Who prepared that?

A. Mr. Kinyon, the secretary.

Q. Did you furnish Mr. Kinyon the information which appears here as to the balance on hand December 31st?

A. I did.

Q. Will you give from that statement the amount of the cash balance on hand December 31st, 1886?

A. \$5,620.46.

Q. Will you state the amount received from the assessment levied in January, No. 11?

A. \$2,517.80.

Q. Assessment No. 12, levied in February?

A. \$2,687.67.

Q. No. 13, in March?

A. \$2,772.79.

Q. April?

A. \$114.76.

Q. State the amount of membership fees received in this office from January 1st up to date?

A. \$522.50.

Q. Amount of claims and losses paid from January 1st to date?

A. \$5,700.28.

Q. Expenses of office management etc., from January 1st to date?

A. \$717.98.

Q. State in detail the other payments taken credit for from that time?

A. President's salary, \$150.00; Secretary, \$235.27; Treasurer, \$235.27; Medical examiner, \$235.27; Attorney, \$235.27.

Q. Please state the amount of your balance cash on hand at this date.

A. \$4,926.64.

Q. Is that the amount remaining in your hands as treasurer?

A. Yes, sir.

Q. Is there some proportion of it in the banks?

A. Yes, sir.

Q. Give the amounts?

—A. National City Bank, \$1,656.40; First National, \$829.20; balance in my hands, \$2,440.44.

The President of this association is paid a salary of \$50.00 per month. The remainder of the expense fund, consisting of 20 per cent of the assessments and 20 per cent of the membership fees, is divided among the other officers of the company as appears in Treasurer's testimony.

Committee Rooms, April 18, 1887.

Horace M. Dresser, being duly sworn, testified that he was 32 years of age; that he resides in Mason; that he was formerly a day laborer, but had been working at insurance for two years; that he had worked for the Mutual Life of Mason, the Old People's Mutual of Benton Harbor, and the Elkhart company; that he presumed he had taken 100 applications for insurance; that he had been paid from 60 to 100 per cent of the membership fee for such work; that as a rule in the transaction of this business the agent writes the application and the beneficiary signs it; that the person whose life is insured is not consulted in more than ten per cent of the cases; that the person insured is not present, and in fact need not be in the State at the time the insurance is taken; that he has a case now where the party is just waiting to go to New York on a visit to find out in regard to the health of a party he wants to insure and then come back and get the insurance; that the medical blank on the applications are usually filled out by the beneficiary, or by the agent, through the instructions of the beneficiary, and as a rule is signed by the beneficiary; that the person insured is not always in good health; that where they have had paralysis or gravel were the only two diseases for which he had had applications sent back; that in fact a majority of cases are sent in as being sound; that the companies do not care anything about rheumatism, a man may be all crippled up and drawn out of shape by rheumatism, so long as there is nothing the matter of the heart. If an application is rejected by one company it is the habit to send it to another, and it is usually accepted by some one of the companies. That it is a standing joke among the agents of this class of companies, that if other companies reject an application "send it to Reading and it will go;" that he thinks there are about twenty thousand old people living in Michigan whose lives are insured in old people's companies, and that probably eighteen thousand of them have no knowledge that they are insured; that in Eaton and Ingham counties and a portion of Clinton county, fully half or two-thirds of the old people are insured; that it has been customary with many of these companies to compromise death claims wherever they can, and that that is a part of the scheme of some of the companies; that the Mason company are in the habit of doing that, and a company that used to do business in Lansing also; that the president of the Mason company is reported to be connected with the Bohemian Oat association, and that the treasurer, Mr. Rogers, and the manager of agents, Mr. Houser, are engaged in selling Bouded Grain, and by Bouded Grain he means German Barley, Bohemian Oats and Bouded Wheat; that it was all the same swindle, but they paid one swindle by springing another on a fellow.

Edward O. Kelley, being duly sworn, testified his age was 57, his residence Lansing, his occupation fire, life and accident insurance, and that he had been engaged in it about four or five years. That he had done business for the Old People's Life of Battle Creek, the Standard Life of Marshall, the Old People's

Life Insurance Co. at Jackson, and the Industrial of Corunna. That he had probably taken 15 or 20 applications for the Battle Creek Co., eight or ten for the Standard of Marshall, possibly 30 for the Jackson Co., 15 or 20 for the Corunna Co., and one or two for the Equable of Lansing. That his commissions were about 80 per cent of the membership fees. That the instructions of the companies are that the insured and beneficiary are to be relatives; that all the companies want a medical examination; that that is generally secured by getting some physician that is acquainted with the party. Where the physicians know the person who is to be insured they do not always go before the physician. That the class of people who are most apt to be insured under this plan are the people in average circumstances, neither very poor or very wealthy, and both the intelligent and the ignorant. That he does not seek or solicit applications in this kind of insurance. That he does not run after it at all, but that parties who want that kind of insurance come to him. That the party who is asking for the insurance dictates what shall be written in the application, and that the person to be insured is not always present, and in one or two cases he has taken applications where the party to be insured lived out of the State. That the beneficiary signs the application for the applicant in most cases. That not more than one-third of the applications for the insurance are made by the person whose life is insured. The medical examination is not always made by a physician. Some persons take applications signed by the beneficiary. That he always writes the condition of the insured in the application as far as he knows it, and when he does not know the person he takes the beneficiary's word for it. That as far as his business goes about one-quarter of the people insured in this class of companies do not know anything about it. That all the companies in the State would insure the same person. That he is carrying insurance upon Louisa Bellingham, who is his sister-in-law; that he has \$1,000 in the Jackson Co. upon her, \$1,000 in Battle Creek, \$1,000 in Corunna, and \$1,000 in the Standard; that most of this insurance is in his wife's name. That there may be one or two policies in his name. That this lady lives with him, that she has an income of \$200 a year, and aside from that he furnishes her everything; that she knows that her life is insured by him, and that he signed the application for her in her name. That he is carrying \$3,000 insurance upon the life of his sister who lives in Missouri; that she knows of it but did not sign the application.

Committee Rooms, April 20, 1887.

William J. Makely, being duly sworn, testified that he resided in Mason and was 51 years old. That his business has been life insurance for a little more than four years; that he had done business for the Detroit Commercial, The Marshall Mutual, the Old People's of Elkhart, the Standard of Fort Wayne, the Mason Mutual, the Lansing Mutual, the Loyal Life of Reading, and the Benton Harbor companies; that he has taken perhaps 75 applications for the Standard, seven or eight hundred for the Elkhart, or perhaps more, a hundred for the Reading Co., may be 50 for the Benton Harbor Co., and about 50 for the Mason Co.; that he averages to take 360 applications in a year; that he works for the membership fee, and that he averages ten dollars a day for his services. That the companies instruct him that the relationship between the beneficiary and the insured may be either by blood or by marriage. That in seeking for an application that he shows parties by the American Expectancy

Table how long an old person may be expected to live and figure what the insurance would cost each year and show them that they will be likely to soon realize upon their investment, and tell them that they have a right to take an insurance upon an uncle or an aunt, or their grand-father or grand-mother, or their wife's relatives, or their cousins, brothers, sisters, mother-in-law or step-mother. That the beneficiaries dictate the answers to the questions in the application and sign the application with the name of the party to be insured. That the person insured is not always within the limits of the State at the time. That the beneficiary signs the medical examination when there is no doctor that knows the party; that he has known parties to be insured that were in poor health; that he has known persons to die within thirty days from the time they were insured. That it is the custom for more than one company to insure the same person. That if an application is sent to one company and rejected, that it is kept passing around from one company to another until it is accepted. Being asked the question if he thought that a system which admits of one person speculating upon the life or death of another should be classed as life insurance, he answered: "I have worked at it so long that it does seem to me as though it should, yes." That he is not aware that a policy obtained upon an application upon which the name of the insured was forged is an illegal transaction. That he does not know what an insurable interest is and does not care. That he would write an insurance upon the life of any person if the company would accept it. That he has written twenty thousand dollars of insurance for Ormond M. Spitzer of Mason. That part of it is upon Mr. Spitzer's father-in-law, part upon his mother and part upon his grand-mother, and that Mr. Spitzer signed the application in each case and the medical certificate. That two of these parties do not live in the State. That he wrote insurance upon Eugene Griffin and Enos Griffin for Lucy M. Shannon of Mason, upon the application of Lucy M. Shannon's husband, and that Mr. Shannon dictated the application and signed them. That he thinks Mrs. Shannon and the Griffins are cousins. That he himself is carrying insurance on the life of his brother, 69 years of age. That he made the application and signed it in his brother's name, and that his brother does not know of it. That the ground upon which he put this insurance was that he worked a great deal for his brother about 25 years ago and never received any pay for it, and thought he had a right to carry this insurance; that it would be a good scheme. That it is customary that the beneficiary should sign the applicant's name to an application. That his instructions have been that the applicant's name must be signed and that if the beneficiary knew the condition of the applicant that he should sign it; that within the last three years he has placed about three hundred applications in the Elkhart Co. That most of the people he approached seemed to want insurance in that company, and that he in those cases would supply them with a blank application and fill it out, they would sign it, he would tell them they would have to be their own agent, he would send the application to the company and the certificate would be sent directly to the beneficiary.

In relation to his manner of soliciting insurance he testified: "I approach a man and tell him I am working the graveyard swindle and ask him if he wants to be beat at it; telling him I am beating somebody at it every day. Sometimes I approach them that way, not always. I tell them that I cannot write for him unless I make something out of it, but that in my judgement it is a good speculation, and that if they go into it there is a chance of their

making something. I tell them that as long as they pay their assessments and each one pay their assessments the members make the company and not the officers, and if they go into it the probabilities are that they will realize largely upon the speculation."

He further testified that most of the people who go into it do so purely as a matter of speculation, that it is a good, fair way of gambling.

THE WESTERN UNION MUTUAL LIFE AND ACCIDENT SOCIETY OF THE UNITED STATES.

Began business in March, 1880, and has now policies in force upon the lives of over 3,600 people. It issues policies upon the lives of its members, covering the ages of from 17 to 60 years, for \$2 500, \$5,000, \$7,500 or \$10,000. Its assessments or death premiums, as they are called, range from \$8.80 upon persons of the age of 25 or under, to \$13.65 upon persons of the age of 60 for a \$10,000 policy. Briefly, its plans and methods are based upon the actual experience of the business of life insurance, as gathered from the official reports and statistics of the old line companies. Its affairs are conducted upon strict business principles. Its policies take effect when issued. Every member must keep one death premium paid in advance, so that there is always on hand in cash in the death benefit fund at least the aggregate amount of one death premium on every policy in force. Death premiums are not called for on every loss, but a call is made whenever a loss occurs the payment of which would reduce the amount of the death benefit fund below the aggregate sum of one death premium on every policy in force. No portion of the death premiums can be used in the payment of expenses, but the expenses are limited to an annual due of \$2.00 per each \$1,000 of insurance, and all expenses must be paid from this source. Its business is not confined to this State, but it must be all done north of the 37th parallel.

Upon a critical examination of the affairs in its office, your committee find everything there conducted with the same care and attention, to the minutest detail that is used in the most successful business houses. A further statement of the management of its business, and of the principles which, in the opinion of its officers, underlie the whole system of successful life insurance upon the assessment plan, will be found in the testimony of the secretary, which we append:

Lyman M. Thayer, being duly sworn, testified as follows:

Examined by Mr. Cross.

Q. Your residence, age and occupation?

A. My residence is Detroit; my age about fifty-four; occupation, insurance. I am the secretary and one of the managers of the Western Union Mutual Life and Accident Society of the United States.

Q. How long have you been connected with that society?

A. From its organization. That was in February, 1880.

Q. Had you any previous knowledge of insurance?

A. Yes, I had been in the life insurance business about twenty-five years.

Q. In what capacity, prior to your connection with this company?

A. I was for a number of years a solicitor, and then after that period I was one of the general agents of the Equitable Life Insurance Society of New York, for the States of Ohio and West Virginia for four years. Then I was general agent of the Michigan Mutual from 1868 up to 1880.

Q. Were you one of the incorporators of the Western Union?

A. One of the associates of the incorporators.

Q. Who are those who were associated with you in organizing the company?

A. James L. Edson, Levi T. Griffin, Don M. Dickinson, Ford D. U. Hinchman, Butler Ives, William L. Brace, William B. McCreary, William H. Dunning, and myself.

Q. What was your general plan of organization?

A. Our general plan of business is set forth in our articles of association. Our system of insurance perhaps I could more fully explain to you.

A. What is your system of insurance?

A. In the first place, the company is a purely mutual company, the policy holders being interested in the affairs of the company, one just as much as another, excepting as to the amount of insurance carried. Of course a man who has a ten thousand dollar policy has four times as much power in voting as a man who has a twenty-five hundred dollar policy.

Q. What is the largest policy you issue.

A. Ten thousand dollars is the largest amount of insurance and twenty-five hundred the smallest amount we carry on any one life. A man may carry four twenty-five hundred dollar policies or one twenty-five hundred dollar policy, or a twenty-five hundred and a five thousand dollar policy, but the largest amount we carry on any one life is ten thousand dollars, and the minimum is twenty-five hundred dollars.

Q. You do your business upon what is known as the assessment plan?

A. We are organized under the law under which assessment insurance is done, but we do not use the word "assessment" in our articles of association or in our business. Our premiums are called premiums, but of course the theory is the assessment plan.

Q. You are organized under the law providing for the organizations of assessment companies?

A. We are organized under the law providing for the organization of companies for doing business on the assessment plan, but simply as a matter of taste, perhaps, more than anything else, we do not use the word "assessment," but we use the term "death premiums" for our premiums that we pay losses from, and "expense premiums" for the premiums we pay expenses from. The theory of the company is that every man carries insurance at just what it costs. Each man pays his share of the losses that occur in proportion to the amount of risk on his life and his age at the time the loss occurs.

Q. At the time the loss occurs?

A. Yes, sir; our death premiums are made up in this way: They are made up on the American table of mortality, loaded with a percentage to cover the contingency of the continuance of policies in force. We add to the mortality rate as laid down by the American table a certain percentage to cover the contingency of the continuance in force of a policy.

Q. Explain that.

A. That is the chance or the length of time of the chance that the policy would be continued in force.

Q. Are there any statistics upon that question?

A. Yes, sir. The statistics are laid down in the history of any of the old line life insurance companies. That is simply taking out the death rate and the lapse rate. In the plan of the regular life insurance companies, as they are termed, they assume that every man who takes a policy is going to carry it

through until death occurs or until the end of the endowment? Whereas there are a very small number of people ever die while their policies are in force; that is, a small number in proportion to those that are insured. In other words, the statistics show that policies are continued in force in old line companies less than seven years; $\frac{6}{7}$ is the exact fraction that expresses the length of time that policies are carried. To explain that a little further, I mean to say that the statistics prove that a policy in the old line companies continues in force $\frac{6}{7}$ years; call it in round numbers seven years. In other words, every life insurance company has a new set of policy holders, on an average, every seven years. Of course we know that there are some men insured in the old line companies that have had policies 25 or 30 or 40 years that are still living and keep their policies in force. But when you come to get the average length of time of all the policies carried it is less than seven years. And another point is that only ten out of a thousand really reap the benefit of the insurance that they take. All the others drop out before the contingency of death or term for which they are insured expires. And that you see is where I get at this contingency of continuance. When a man insures his life it is presumed he is going to keep it up until he dies. But when you come to take the other factor, which is the lapse of policies every year, there is the chance that the policy is going to drop away during the first year or the second year, or the third year. So I add to the American table of mortality a certain sum to cover the contingency, assuming that a policy would only be carried seven years. If our experience should prove that our policies are carried an average of more than seven years, then a slight inequity will begin, and it will increase as our policies continue beyond seven years. But if our experience in lapses should prove to be as it has been in the old time companies, there will be no inequity at all between these policy holders.

Q. Do you refer in that to the increase in the average age of your members?

A. No, I do not exactly refer to the average age. I do refer, however, to the increased risk that comes with the increased age of the policy holders.

Q. The inequity that you refer to is in that the cost of carrying the insurance of persistent members will be larger as the years go on?

A. Yes, if our experience should prove that our policies average to continue after seven years there is an inequity that can creep in. If our policies should average to continue in force ten years instead of seven, there will be an inequity creeping in for three years.

Q. Explain how you would do justice by the members?

A. There will be no way in which we can do away with that inequity at all, unless we can accumulate a reserve fund or emergency fund, whichever it may be called. If we can lay aside an emergency fund to a limited extent, then we can do away with that inequity. So far as our experience teaches, so far as we have got now, our lapse is very small, it is so small that our policies will average to continue in force longer than seven years. Of course we cannot tell what the next year will produce. We have been doing business seven years, and we have had a much smaller rate of lapse so far than any old line company that we have any record of.

Q. How do you account for that?

A. I do not know of any way, excepting the class of men we have in our business, the satisfactory manner in which our company has been conducted, the satisfactory results of the management of the company, and in the selection of risks, of course that has brought a low cost of carrying policies.

Q. Between what ages do you confine your membership?

A. We do not write anyone under 16 nor anyone over 60 years of age. A person under 25 years has to pay the same rate as a person of 25 years. We have a very small number under 25 years of age.

Q. What is the average age of your membership?

A. The average of our entire membership on the 31st day of December last was 43.77 years. That was on the total membership, taking each persons age on the 31st of December, the present age of any man that is insured in the company. Not the average age at the issue of the policy, but this is the average age of every man. Some men have been in six years and some five years, and this is the average age of every man insured in the company.

Q. You obtain that by taking the sum of all the ages and dividing by the number of members?

A. Yes, sir. Then we did it in another way, which increased the average about eight-tenths, making it 44 years and something, by multiplying the sum of all the ages by the amount of insurance at each age and getting the average.

Q. That is hardly as accurate as the other method?

A. No, sir; although some actuaries claim it is the true way to get the average age. It is the average liability; it is not really the average age of the members insured.

Q. Has the average age of your members perceptibly increased?

A. The average age of our members at the age of issue was about 42, and the increase has been almost imperceptible. I think it is about seventy-four one-hundredths of a year. The average age of our policies at issue, of all our policies, was about 43, but the average age of our business last year was a little younger than the average rate of issue of all our policies, younger than any year previous to that, and of course that to some extent reduced the age of all our policies.

Q. Will not the tendency be the increasing of the average age of your members in the coming year?

A. Of course that will depend altogether upon the way our policies hold on. If our policies should hold on in the same way they have in the past, unless we can decrease the average age of our new members each year, of course the tendency will be to increase the average age of the members.

Q. And that increases the liability?

A. That increases the liability.

Q. Then you would need an emergency fund in order to provide for that?

A. Yes, sir.

Q. Would that, in your judgment, be essential to the perpetuity of the company?

A. I think it will.

Q. The American table of mortality is a uniform table?

A. Yes, sir.

Q. Used by all life insurance companies?

A. Yes, sir.

Q. And it is thoroughly reliable?

A. It is thoroughly reliable. It is high enough to cover all contingencies. There is no regular life insurance company that exceeds seventy-three per cent of the rate assumed by the American table.

Q. What do you consider to be the necessary qualities of a successful life insurance company?

A. I think to have a successful life insurance company, and particularly in a mutual company, or a company doing business on the assessment plan, as it is usually termed, the foundation rock upon which it must be placed is the selection of risks.

Q. And economy in the administration of its affairs?

A. Of course if the expenses are limited to a certain sum per thousand dollars of insurance, then it may be termed economical or it may be termed expensive. There are some companies that limit the expenses to a certain amount per annum on each thousand dollars of insurance carried. There are other companies that have a certain annual expense premium, and in addition to that they take a certain sum of certain kind of expenses that they have to pay out of the death premiums, thereby opening the door to any kind of expense that they can charge up to that fund. I think that is a very dangerous thing.

Q. The two factors then would be the selection of risks and economy in the administration?

A. Yes, and the conducting of business on business principles. You have to be much more particular about it than you do in old line insurance, because in that you have a binding quality in the higher premium and the reserve, which you have not in a mutual company.

Q. The companies organized upon your plan have to depend upon the confidence of the people?

A. Yes, sir; and the moment a company happens to get a black eye it falls to pieces very rapidly.

Q. Then you depend for the perpetuity of companies organized upon your plan upon an emergency fund?

A. Yes, sir.

Q. To what extent would you suppose that to be necessary?

A. As I said before, I put the figures at five per cent when I spoke about the provisions of a law. I think a limit of five per cent—and in that connection it is well to bear in mind that no company—I do not know of any company that is doing business upon this system that could lay aside more than 25 per cent of their death premiums, their mortality premiums. I have made a calculation of how long it would take us, if we should collect eight death premiums in a year, and lay aside 25 per cent, if we did not touch the reserve fund at all, to pay any excess of mortality, it would take us from 13 to 15 years before we would have three per cent laid aside; that is, before we would have three hundred dollars laid aside on a ten thousand dollar policy. If we had five per cent it would take nearly twenty years before we would get it; that is, not touching it at all, until we have the full limit. My idea of a reserve fund is not only to equalize the losses but to equalize the increased mortality and also to equalize the number of premiums the company should call for in a year. For instance, take my own company; we have during the last four years called six death premiums a year. Now, if during this year we should have a rate of mortality that would make it necessary to call for eight or ten, as might possibly be, it would cause an immense lapse of policies. Men would say, "Now, the time has come, old death has struck them, and now is the time for us to get out and get into a new company, elsewhere," and we should have an immense lapse rate. If we had on hand a reserve fund from which we could pay the excess of losses that year, and only call for six premiums, our policies would go right along just as they now. I think this is a very important

matter in regard to a reserve, that when you have a rate of mortality that exceeds a certain sum, that you can take the reserve fund to pay that and thereby keep the rate of your assessments going right along as before.

Q. What in your opinion would be the desirability of providing a specific sum to be paid by companies organized upon your plan and insist that the company shall pay the full sum named in the certificate?

A. My idea is, that I think it is just the thing that ought to be required. I think every company that issues a policy should issue its policies for a specific amount, and whenever they cannot pay that the sooner they wind up the better, it is going to be better for the public and better for the companies that can pay.

Q. And the less the liability of the public to be deceived?

A. Yes, sir. If a company issues a policy for one thousand dollars they ought to pay one thousand dollars. Not have "FIVE THOUSAND DOLLARS" printed in very large type and then have printed in very fine type, that a man cannot read without a magnifying glass, that it will depend upon the men that pay their assessments, how much the association will pay. And if the Western Union gets into a place where it cannot pay its policies in full, I shall be the first man to move to put it into the hands of a receiver and wind it up.

Q. What is the nature of the contract which you execute with your members, or that the members execute with the society, whether it is a mutual contract or not?

A. Yes, sir.

Q. A contract of mutuality?

A. It is.

Q. Is it similar to contracts that are made by mutual fire insurance companies and their members?

A. I could not answer that. I really do not know as I ever saw a fire insurance policy issued by a mutual company.

Q. Your understanding of the nature of your contract is that it is a mutual contract between the members?

A. Yes, purely mutual. One man is just as much interested as another in proportion to the amount of risk we have on his life. That is the governing power.

Q. Then in equity each member should receive as much benefit as any other member?

A. Yes, sir.

Q. Ought not the company to enforce the contract so far as relates to its members?

A. We call our premiums in advance. We have our death premiums on hand; so that when a man drops his policy,—I would not say that there would not be any exception to a case of that kind—but in ninety-nine cases out of a hundred when a man drops his policy he has paid for all the insurance he has had up to that time; he has paid for all the losses that have occurred. There might possibly be a case where he would not have paid perhaps within one assessment. It would depend upon the date that the last loss happened to drop in, previous to the premium on which he lapsed his policy.

Q. Circumstances might occur whereby a liability might be created against the company and they have no funds with which to meet it?

A. Yes, where they had not provided for a loss that would occur while that policy was absolutely in force, but not to exceed one out of a hundred.

Q. In a case of that kind the company would, in your judgment, have a right to enforce the collection of assessments?

A. Of course there never has been anything of that kind tried. What the law might do in case a company got into trouble and the thing lingered along and losses accumulated, and then a receiver should take it, I am not enough of a lawyer to know what might be done with them. I know a great many good lawyers in this State and other States assume that any liability that might occur while a man's policy is in force could be enforced against the policy holder.

Q. What is your general plan of doing business so far as the selection of members is concerned?

A. In the first place, we as managers have nothing to do with who are appointed medical examiners of the company, or the medical director, or with who shall be written or shall not be written. That is placed entirely in the hands of the medical director. The medical director is elected by the board of trustees and paid a salary. He is not interested in the business one way or another, either in having applications rejected or accepted, except to make the very best selection he can. He appoints the medical examiners. The applications come in and are placed on his desk. He looks them over and decides whether they are to be accepted or not, and no policy can be written until his written approval is on the application.

Q. What are your rules with regard to the insurable interests in the certificates?

A. We do not issue a policy to anyone who has not an insurable interest. And by insurable interest I mean we do go so far as to issue a policy to a creditor; that is, a policy is made payable to the executor, administrator or assigns of a member. In order to assign that policy a member has to give us a notice of the assignment of it, and it can only be assigned as the interest of the assignee may appear, and he has to prove his interest under oath when we settle the loss. We have paid some losses in that way.

Q. You pay simply the interest of the insured?

A. Yes, and the balance goes to the beneficiary named in the policy, if not it goes to the estate of the member.

Q. What is your definition of an insurable interest? What is the practice of your company as to insurable interests?

A. If you mean outside of the family, I would say a person who is pecuniarily interested in the continuance of the life of the insured—that is, it might be a creditor. But we do not insure anybody that does not make an application for the insurance himself, and he, for instance, designates that he wants it for the benefit of a certain creditor. We do not allow the creditor to make an application upon a man's life and we issue the policy; the insured is the man we make the contract with and he is the only man we recognize in anything we do. We only send a notice to creditor or beneficiary as a matter of courtesy, and we always send a notice to the person insured. There is not a person insured on our books that does not get a notice of the premium due in advance. Where there is a creditor we put it on the card that we send it as a matter of courtesy so that if the party insured does not pay it he can pay it himself; that is, when the creditor is the assignee of the policy.

Q. Would you recognize an application not signed by the insured as good?

A. We would not recognize it all.

Q. Would you issue a certificate upon it?

A. No, sir; we would not consider it at all. We would not even present it to our medical director.

Q. A certificate issued upon an application not signed by the assured would be null and void?

A. Yes, sir. It could not be issued at all in the first place. We have two separate checks upon that. In the first place we have a witness to the signature of the man to the application, then we have the medical examiner as a witness to the signature of the man to the medical examination. We have that signature in both places. So that we look at the signature on the side of the application, and compare it with the signature to the medical examination. And the medical examiner certifies on the medical examination side of the application that that man is the person who signed the application on the other side of the paper, and the contract is based upon that statement being true. If it is not true his policy would be void. We have thrown around that part of the business all the safeguards that he have thought of thus far.

Q. You do not accept a physician's certificate upon an application as good when made out by the applicant himself?

A. No, sir. Every application must be written in ink, by the medical examiner, in his own handwriting. If it is written up in one handwriting and signed by another, we would not accept it. Doctors will sometimes say, "my clerk or my assistant filled this up and I signed it." We say we do not accept of any such examination. You have got to answer every question in your own handwriting, and put your signature to it and certify that it is all done in your own handwriting, and it must be done in ink.

Q. You prefer to hold your medical examiner responsible for the result of his examination?

A. Yes, sir.

Q. You pay him for his examination?

A. Yes, pay for every examination made, whether the application is accepted or not. We pay it out of the advance premium; we do not have the man pay it himself.

Q. Are your medical examiners appointed by the company?

A. They are appointed by the medical director upon a regular certificate issued by the medical director. They have to make application for appointment, giving their age, the length of time they have been in practice, where they graduated, what year they graduated, and all that sort of information, and refer to not less than three other physicians and two prominent persons where they reside, and then when they come before the doctor he looks them up and finds their record to see if they graduated where they say they did, etc. Another thing, we confine our examinations to one or two men, depending upon the size of the place. In a place like Chicago we have four examiners, and all examinations are made by one of those examiners, and we do not go outside of those four. In a place of this size we have two. All our examinations here are made by Dr. Lyster himself.

Q. How many assessments do you make in the course of a year?

A. We have been getting our business in shape so that we have been able to make our collections four times a year, but it has averaged and has been for six assessments made in four collections.

Q. Do you allow any specific number of deaths to accumulate before you make a call?

A. Our basis for making a call is that we must have losses that cannot be

paid out of the amount of money in the death benefit fund and leave at least a single death premium on every policy in force.

Q. Then you make your assessments in advance?

A. Yes, sir; our company was the first company, and until very recently the only company organized that made their members pay for the insurances at the start. Most of the companies now simply ask them to pay an initiation fee and to be assessed whenever a death occurs. Perhaps they may enjoy the benefits of the insurance and even die before an assessment is made. We make them pay one in advance from the start. We never have in the death benefit fund a sum less than one premium on every policy in force in cash in bank to the credit of the corporate name of the company. That cannot be drawn out, excepting upon the check of the president, countersigned by the treasurer and secretary, and payable to the order of the beneficiary of the deceased member. The only exception to it would be if the trustees should order a transfer of the death benefit fund from one bank to another.

Q. Is there any limit to the number of assessments which you can make?

A. No, sir; it is only limited by the deaths we have. We have to make calls to cover all the deaths.

Q. What proportion of the amount of the death premium goes into the death benefit fund?

A. Every cent of it. All expenses, of every name and nature, are paid out of the expense premiums. Every dollar of money that is paid for death premiums goes into the death benefit fund?

Q. How are those expense premiums divided?

A. There is two dollars on a thousand per year on each policy issued, and they come due in advance. The first one is paid in the first premium, and then they come due on the 15th of the month of the issue of the policy in every year. Of the policies in the month of April the annual expense premiums come due every year on the 15th day of April. It is an annual premium. Our policy expressly states that they must pay that amount of money on the 15th of the month in every year during the continuance of the policy, and we notify them 30 days previous to that time just as we do their regular assessments?

Q. From this expense premium is paid the entire expenses?

A. Yes, sir; these premiums are charged to cash when they come in and credited to the expense fund and from these expense premiums all our expenses are paid.

Q. A man of 35 years of age, what would it cost him to insure in your company for five thousand dollars?

A. For five thousand dollars he would pay when he takes the policy thirty-five dollars. Thirty dollars of that would be for expenses; five dollars would be his death premium. When he paid his thirty-five dollars his policy would take effect. That money is handed into our office, we pay the agent's commission, medical examiner, postage, exchange, and the balance of it remains in the fund to pay the expenses for the year. The death benefit premium is paid into the death benefit fund, and when we call on him for his premium he has to pay five dollars. If we call for two it is ten dollars. If we call for three it is fifteen dollars. When we send out a notice we send out a statement of the losses that have occurred since the last call, and also a statement of the money that has been paid into the death benefit fund, the amount of money drawn from the death benefit fund, and a certificate of the bank of the amount of money in the bank to the credit of the Western Union Mutual Life and Accident Society.

Q. You speak of "Accident?"

A. Under our articles of association we had the right to do accident business as well as life insurance business, but we never have done anything under the accident plan.

Q. Do you know what the expectancy under the American Table of Mortality is of a man of 35?

A. It is about 33 years.

Q. What would be, under ordinary circumstances, the average number of assessments for a man of 35?

A. There would be the same number on all the different ages. I was going on to say that we have, during the last four years—at the beginning of the company we did not have any losses the first year and only one or two losses the second year, but during the last four years we have only been obliged to call six premiums a year, and that has been done in four calls. In some we called for two and in some for one. That would be at the age of 35, a cost to him of thirty dollars and his expense premium ten dollars, making just forty dollars that it would cost him to carry a five thousand dollar policy in a year.

Q. Then to carry the 33 years would be how much?

A. Say \$1,300.

Q. Then at the end of the period of expectancy?

A. If he keeps on paying for the 33 years he would get five thousand dollars. If he died in 20 minutes after his policy was in force we would pay him five thousand dollars. Now, the expectancy of life, truly and in fact, has nothing to do with life insurance contracts. The premium is not based on a man's expectation of life, because the expectation of life is constantly changing. Say it is 33 years when he is 35, it will be 32 years and a fraction when he is 36, and when he gets to be 80 or 90 he has still another expectation that carries him on, so that the premiums could not be based upon that. The premiums in old line companies are based on the chances of living a year, and the chances of dying in a year, and that constantly increases. Commencing at the age of ten with a certain number of men, at the age of eleven there is a still other number, and when you get down to the age of 95, they are all gone. They assume that every man is going to die at the end of the year when he is ninety-five years of age.

All of which your committee most respectfully submit for the careful consideration of this Legislature, and ask to be discharged from further consideration of the subject.

JOHN S. CROSS, *Chairman*,
FRANK A. DOUGLASS, *Secretary*,
J. V. B. GOODRICH,
A. W. WESTGATE,
JAMES S. GORMAN.

Lansing, April 22d, 1887.

Report accepted and committee discharged.

The committee also presented the testimony taken before them in their investigation,

Whereupon

Mr. Ogg offered the following:

Resolved by the House (the Senate concurring), That 3,000 copies of the report of the select joint committee on insurance on their investigation of the life insurance business as conducted in this State, together with the testimony taken before said committee, and accompanying the report, be printed in pamphlet form for the use of the Legislature.

Which was adopted.

PRESENTATION OF PETITIONS.

No. 987. By Mr. J. W. Robinson: Petition of S. M. Gleason and 64 others of Sheridan, Montcalm county, asking that the passage fare on railroads in this State be reduced to two cents a mile.

On demand of Mr. J. W. Robinson,

The petition was read at length, and spread at large upon the journal, as follows:

Sheridan, Mich., April 20, 1887.

To the Honorable the Senators and Representatives of the Legislature of the State of Michigan:

The undersigned electors of the county of Montcalm respectfully request our Senators and Representatives to use all honorable means to reduce the passenger fare on all railroads in this State to the reasonable sum of two cents per mile, believing this will not only benefit the people at large but the railroads themselves.

The history of such legislation in other States has already proven to be a blessing to the people and the roads also, and we firmly believe such will be the result in our State if the reduced law is adopted.

HENRY P. CLARK.

Referred to the committee on railroads.

No. 988. By Mr. Herrington: Petition of Judge A. C. Baldwin and 17 others of Pontiac, asking for the passage of Senate bill No. 109 relative to the Miner's School in the Upper Peninsula.

Also,

No. 989. Petition of S. Brown and 87 others of the county Luce for the passage of Senate bill Nos. 1 and 109, same subject.

Also,

No. 990. Petition of R. A. Adams and 28 others, same subject.

Referred to the committee on ways and means.

No. 991. By Mr. Ogg: Petition of Detroit K. of L. asking for the passage of the bill protecting the health of employes in shops and factories.

Referred to the committee on labor interests.

Also,

No. 992: Petition of the same body asking for the passage of a bill prohibiting non-residents from holding land.

Referred to the committee on judiciary.

Also,

No. 993: Petition of the same body asking for the passage of Ogg's convict labor bill.

Referred to the committee on State prison.

Also,

No. 994. Petition of the same body asking for the passage of a bill prohibiting the use of scrip or store orders in payment of wages.

Referred to the committee on labor interests.

No. 995. By Mr. Holt: Petition of W. B. Keift and 60 others, asking for the passage of House bill No. 909, relative to the garnishee law.

Referred to the committee on judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 441, entitled

A bill to provide for the requiring of new bonds from the trustees of the estates of deceased persons, and to discharge existing sureties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McCormick,

The bill was laid upon the table.

By the committee on liquor traffic:

The committee on liquor traffic to whom was referred

House bill No. 501, entitled

A bill to revise, consolidate and amend the liquor laws of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be printed for the use of the committee.

HENRY WATSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. Watson,

The House concurred in the recommendation of the committee, and the substitute bill was then ordered printed for the use of the committee.

By the committee on judiciary and labor interests:

The committee on judiciary and labor interests, to whom was referred

House bill No. 225 (file No. 139), entitled

A bill to extend and regulate the liability of employers, to make compensation for personal injuries suffered by employes or workmen in their service.

Also,

House bill No. 782 (file No. 267), entitled

A bill to extend and regulate the liability of employers, to make compensation for personal injuries suffered by workmen in their service,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to extend and regulate the liability of employers to make compensation for personal injuries suffered by employes or workmen in their service,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA,

Chairman Committee on Judiciary.

GEORGE OVIATT,

Chairman Committee on Labor Interests.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 852, entitled

A bill to incorporate the city of Petoskey, and to repeal act No. 280 of the session laws of 1879,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 1 and 5 of act No. 280 of the local acts of 1879 entitled "An act to incorporate the village of Petoskey," approved February 27, 1879, and to add a new section thereto to stand as section 8.

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Abbott,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 108 (file No. 115), entitled

A bill to amend section 1 of an act entitled "An act to amend sections 2, 4, 5, 6, 7 and 12 of an act entitled 'An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds and wild fowl,'" approved April 3, 1869; and section 1 of said act as amended by act No. 64 of the laws of 1877; and section 8 of said act as amended by act No. 201 of the laws of 1875, being act No. 151 of the laws of 1881, being section No. 2198 of chapter 64 of the general statutes of the State of Michigan, as compiled and annotated by Andrew Howell.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McKie,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 55, (file No. 48), entitled

A bill making an appropriation for the Asylum of Insane Criminals,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following:

House bill No. 767 (manuscript), entitled

An act to amend section 1 of article 2, and sections 1 and 3 of article 3, section 6 of article 5, sections 2 and 3 of article 14, section 1 of article 17, and section 1 of article 18 of act number 321, of the local laws of 1875 entitled "An act to incorporate the village of Zeeland, Ottawa county, Michigan," approved April 10, 1875;

Also,

House bill No. 294 (file No. 253), entitled

An act to detach certain territory from the township of Pine River, in the county of Gratiot, and to attach the same to the township of Arcada in said county.

ROBERT Y. OGG, *Chairman.*

Report accepted.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred.

Senate bill No. 30 (file No. 40), entitled

A bill to detach certain territory from the county of Manitou and attach the same to Leelenaw county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. B. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chamberlain,

The bill was laid on the table.

By the committee on supplies and expenditures:

The committee on supplies and expenditures, to whom was referred the accompanying bill of Launt Thompson for printing, amounting to \$5.75,

Respectfully report that they have had the same under consideration, and have directed me to report the same to the House, recommending that it be allowed, and ask to be discharged from the further consideration of the subject.

J. A. DAMON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 852, entitled

A bill to incorporate the city of Petoskey, and to repeal act No. 280 of the session laws of 1879,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section 1 and 5 of act No. 280 of the local acts of 1879 entitled "An act to incorporate the village of Petoskey," approved February 27, 1879, and to add a new section thereto to stand as section 8.

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Abbott,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 108 (file No. 115), entitled

A bill to amend section 1 of an act entitled "An act to amend sections 2, 4, 5, 6, 7 and 12 of an act entitled 'An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds and wild fowl,'" approved April 3, 1869; and section 1 of said act as amended by act No. 64 of the laws of 1877; and section 8 of said act as amended by act No. 201 of the laws of 1875, being act No. 151 of the laws of 1881, being section No. 2198 of chapter 64 of the general statutes of the State of Michigan, as compiled and annotated by Andrew Howell.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. McKie,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 55, (file No. 48), entitled

A bill making an appropriation for the Asylum of Insane Criminals,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed and presented to the Governor, the following:

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Also,

House bill No. 294 (file No. 253), entitled

An act to detach certain territory from the township of Pine River, in the county of Gratiot, and to attach the same to the township of Arcada in said county.

ROBERT Y. OGG, *Chairman.*

Report accepted.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

Senate bill No. 30 (file No. 40), entitled

A bill to detach certain territory from the county of Manitou and attach the same to Leelenaw county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. B. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chamberlain,

The bill was laid on the table.

By the committee on supplies and expenditures:

The committee on supplies and expenditures, to whom was referred the accompanying bill of Launt Thompson for printing, amounting to \$5.75,

Respectfully report that they have had the same under consideration, and have directed me to report the same to the House, recommending that it be allowed, and ask to be discharged from the further consideration of the subject.

J. A. DAMON, *Chairman.*

Report accepted and committee discharged.
On motion of Mr. Damon,
The bill was allowed and ordered paid.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, April 21, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State.

[House bill No. 423 (file No. 239), being]

An act to incorporate the village of Naubinway, in the county of Mackinac and State of Michigan.

Also,

[House bill No. 583, being]

An act to detach certain territory from the township of Gerrish, in the county of Roscommon, in this State, and to organize the township of Markey in said county,

Also,

[House bill No. 579, being]

An act to amend section 1 of act No. 274, of the local acts of 1875, entitled "An act to incorporate the village of Hancock," approved March 19th, 1875.

Also,

[House bill No. 767, being]

An act to amend section 1 of article 2, and sections 1 and 3 of article 3, section 6 of article 5, sections 2 and 3 of article 14, section 1 of article 17, and section 1 of article 18 of act No. 321 of the local acts of 1875, entitled "An act to incorporate the village of Zeeland, Ottawa county, Michigan," approved April 10th, 1876.

C. G. LUCE, *Governor.*

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, April 22, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State,

[House bill No. 298 (file No. 216), being]

An act to provide for the incorporation of lodges of the Ancient Order of United Workmen,

Also,

[House bill No. 187 (file No. 127), being]

An act to amend section 14 of chapter 196 of Howell's annotated statutes of Michigan, being compilers section 5091 relative to apportionment of one mill tax.

C. G. LUCE,
Governor.

The message was laid upon the table.

MESSAGES FROM THE SENATE.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 22, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 377 (file No. 120), entitled

A bill to amend sections 107, 109 and 111 of chapter 10 of the compiled laws of 1871, being sections 626, 628 and 630 of Howell's annotated statutes of Michigan, relative to the appointment and qualification of notaries public and the duties of county clerks relative thereto,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on judiciary.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 22, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 344 (file No. 203), entitled

A bill to prevent taking or catching or killing any fish in Kavanaugh Lake, in the township of Sylvan, in the county of Washtenaw, with spear or by shooting them with firearms or by the use of dynamite explosion.

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

The Speaker also announced the following;

SENATE CHAMBER.
Lansing, April 22, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 254 (file No. 75), entitled

A bill to amend section 2, chapter 53, of the compiled laws of 1871, relative to disorderly persons, as amended by act 136 of the public acts of 1883, approved May 31, 1883,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 22, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 152 (file No. 197), entitled

A bill authorizing a prosecution for larceny committed in any railroad car while en route in any county through which said train passes,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on railroads.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 22, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 195, (file No. 149), entitled

A bill making appropriation for the purchase of material for a school-house, for the purchase of machinery and for improvements and repairs at the State house of correction and reformatory at Ionia.

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on state house of correction.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 22, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 143 (file No. 291) entitled

A bill to change the name of Edwin N. Chapman to Edwin N. Brown.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect have ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 22, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 324, entitled

A bill to create a fund for and to provide for the payment of certain damages for sheep and lambs killed or wounded by dogs within the city of Lansing and the township of Lansing, in the county of Ingham, State of Michigan.

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on agriculture.

MOTIONS AND RESOLUTIONS.

Mr. Jones moved that a respectful message be sent to the Senate asking the return to the House of

Senate bill No. 102 (file No. 123), entitled

A bill to make all debts for labor preferred claims against the estates of debtors becoming insolvent, and give the same precedence over all debts not a lien on such estates prior to the performance of such labor.

Which motion prevailed.

GENERAL ORDER.

On motion of Mr. Oviatt,

The House went into committee of the whole on the general order.

Whereupon the Speaker called Mr. Roundsville to the chair.

After some time spent therein the committee rose, and, through their chairman, made the following report :

The committee of the whole have had under consideration the following bills :

1. House bill No. 297 (file No. 300), entitled

A bill to authorize and regulate the purchase of text-books and supplies by school boards, for use in public schools.

2. Senate bill No. 350 (file No. 183), entitled,

A bill to amend section 37 of act number 135 of the session laws of 1885, approved June 3, 1885, entitled "An act to amend, revise and consolidate the laws organizing asylums for the insane, and regulating the care and management thereof, and of the inmates therein, and to repeal act 164, laws of 1859; also act 194, laws of 1877; also act 91, laws of 1873, and the acts amendatory thereto; also act 172, laws of 1873."

3. Senate bill No. 287, entitled

A bill to cede jurisdiction to the United States of America over lands now occupied and to be occupied in the enlargement and improvement of "The

Lake Superior Ship Canal, Railway and Iron Company," and "The Portage Lake and River Improvement Company," Michigan.

4. House bill No. 597 (file No. 323), entitled

A bill to amend section 4 of chapter No. 2, and section No. 21 of chapter No. 4 of act No. 227 of the public acts of 1885, being an act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto.

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bill:

5. House bill No. 766 (file No. 301), entitled

A bill to provide for the construction of sidewalks in townships outside of villages and cities, across drains and ditches and natural water courses.

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following bills:

6. House bill No. 228 (file No. 308), entitled

A bill to amend sections 16 and 18 of chapter 266 of the compiled laws of 1871, being sections 9649 and 9651 of Howell's annotated statutes as amended by act 224 of the session laws of 1885, relative to county jails.

7. House bill No. 392 (file No. 309), entitled

A bill to repeal act No. 132 of the session laws of 1885, being an act to amend section 9651 of Howell's annotated statutes,

And have directed their chairman to report the same back to the House with the recommendation that it be referred to the committee on State affairs.

FRANK G. ROUNSVILLE, *Chairman.*

Report accepted and committee discharged.

The first, second, third and fourth named bills were placed on the order of third reading.

On motion of Mr. Engleman,

The House concurred in the amendments made by the committee to the fifth named bill, and it was placed on the order of third reading.

On motion of Mr. Perkins,

The House concurred in the recommendation of the committee relative to the sixth named bill, and it was re-referred to the committee on State affairs.

On motion of Mr. Perkins,

The House concurred in the recommendation of the committee relative to the seventh named bill, and it was re-referred to the committee on State affairs.

Mr. Hosford offered the following:

Resolved, That when this House adjourn to-day it stand adjourned until 2 o'clock P. M., Monday, April 25,

Which was adopted.

Mr. J. W. Robinson moved that the House adjourn,

Which motion prevailed, and the Speaker declared the House adjourned until Monday next at 2 P. M.

Lansing, Monday, April 25, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Franklin.

Roll called: quorum present.

Absent without leave: Messrs. W. A. Baker, Bardwell, Bates, Beecher, Case, Dillon, Dougherty, Douglass, Harper, Hoobler, Hunt, Kelley, Lakey, Rentz, Rogers, Washburn, Webber and Wilson.

On motion of Mr. Haskin,

Leave of absence was granted to all absentees for the day.

On motion of Mr. Houk,

Leave of absence was granted to Mr. Harper until Wednesday next.

On motion of Mr. McMillan,

Leave of absence was granted to Mr. Webber for the day.

PRESENTATION OF PETITIONS.

No. 995. By Mr. Simpson: Petition of H. M. Marshall, D. C. Simmons and 23 others praying for county local option law coupled with increased bonds for the suppression and regulation of the liquor traffic.

Referred to the committee on liquor traffic.

No. 996. By Mr. Breen: Petition of W. H. Havens, I. Orrison, F. E. Crocker, T. F. Cole and 278 other citizens and tax payers of Menominee county, for the passage of the bills making an appropriation for the mining school at Houghton.

Also,

No. 997: Petition of John L. Buell and 28 others, same subject.

Also,

No. 998: Petition of E. F. Brown and 45 others, same subject.

Also,

No. 999: Petition of James C. Sherman, B. J. Brown and 34 others, same subject.

Also,

No. 1000: Petition of S. M. Stephenson and 61 others, same subject.

Also,

No. 1001: Petition of J. N. Walton and 14 others, same subject.

Also,

No. 1002: Petition of James Rowe, Frank Hallman and 20 others, same subject.

Also,

No. 1003: Petition of A. D. Moore, H. Davis and 50 others, same subject.

Referred to the committee on school of mines.

No. 1004. By Mr. Preston: Petition of Elias Spross and 34 other members of Okemos Assembly K. of L. No. 5801, for the passage of sundry labor bills now before the Legislature,

Referred to the committee on labor interests.

No. 1005. By Mr. J. W. Robinson: Petition of 134 voters of McBrides, Mich., praying for the passage of the Breen bill, forfeiting unearned land grants.

Referred to the committee on public lands.

Also,

Nos. 106 and 107: Petition of 74 residents of McBrides, Michigan, asking for the passage of the Grenell bill, to preserve the purity of elections and to provide a secret ballot; and the Ogg bill, to prohibit non-resident aliens from holding land.

Referred to the committee on judiciary.

No. 1008. By Mr. Ogg: Petition of Powderly Assembly K. of L. of Detroit, asking for the passage of the Ogg bill to provide for the better protection of health, safety and comfort of persons employed in shops and factories.

Also,

No. 1009: Petition of the same body, same subject.

Referred to the committee on labor interests.

Also,

No. 1010: Petition of Detroit K. of L. asking for the passage of bill prohibiting non-resident aliens from holding land.

Also,

No. 1011: Petition of the same body, same subject.

Referred to the committee on judiciary.

REPORTS OF STANDING COMMITTEES.

By the committee on school of mines:

The committee on school of mines, to whom was referred

Senate bill No. 1, (file No. 110), entitled

A bill making an appropriation for the erection and equipment of a suitable building for the use of the mining school at Houghton, in the upper peninsula of Michigan, and for heating, lighting and furnishing the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. V. B. GOODRICH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee on ways and means.

By the committee on school of mines:

The committee on school of mines, to whom was referred

Senate bill No. 109 (file No. 111), entitled

A bill making an appropriation for the maintenance and support of the mining school at Houghton, Michigan, for the year 1888,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. V. B. GOODRICH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee on ways and means.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,
Lansing, April 23, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State

[House bill No. 142, file No. 65, being]

An act to amend sections 21 and 22 of chapter 22 of the compiled laws of 1871, being compiler's sections 1262 and 1263 of Howell's annotated statutes of Michigan, relative to hawkers and pedlers.

Also,

[House bill No. 294, file No. 253, being]

An act to detach certain territory from the township of Pine River, in the county of Gratiot, and to attach the same to the township of Arcada, in said county.

C. G. LUCE, *Governor.*

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, April 25, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to re-transmit to the House the following bill:

Senate bill No. 102 (file No. 123), entitled

A bill to make all debts for labor preferred claims against the estates of debtors becoming insolvent, and give the same precedence over all debts not a lien on such estates prior to the performance of such labor,

In compliance with request of the House for the same this day received.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

On motion of Mr. Jones,

The bill was laid on the table.

MOTIONS AND RESOLUTIONS.

Mr. Perkins moved to take from the table

House bill No. 732, entitled

A bill to lay out and establish a State road along or near the principal base line of Bois Blanc Island in the county of Mackinac, from the eastern to the western terminus of said line, and appropriating swamp lands upon said island for the construction thereof,

Which motion prevailed.

On motion of Mr. Perkins,

The bill was referred to the committee on public lands.

Mr. F. H. Watson moved to take from the table

House bill No. 611 (file No. 322), entitled

A bill to amend section 4 of chapter 7 of act 227 of the session laws of

1885, being an act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto,

Which motion prevailed.

On motion of Mr. F. H. Watson,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. McCormick,	Mr. Robinson, R.
Allen,	Dunbar,	McKie,	Rounsville,
Anderson,	Engleman,	McMillan,	Rumsey,
Baker, S.,	Grenell,	Mulvey,	Simpson,
Baldwin,	Haskin,	Ogg,	Spencer,
Baumgardner,	Hill,	O'Keefe,	Stuart,
Bentley,	Hosford,	Oviatt,	VanOrthwick,
Breen,	Houk,	Pardee,	Vickary,
Burr,	Jones,	Perkins.	Watson, F. H.
Cannon,	Kirby,	Pettit,	Watts,
Chamberlain,	Lincoln,	Preston,	Wellman,
Chapell,	Makelim,	Reader,	Williams, W. W
Cole,	Manly,	Robinson, J. W.	Speaker,
Crocker,			

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NAYS.

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Title agreed to.

GENERAL ORDER.

On motion of Mr. Cannon,

The House went into committee of the whole on the general order,

Whereupon the Speaker called Mr. Reader to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following bills:

1. House bill No. 828 (file No. 344), entitled

A bill to amend section 10, of act 134, of the public acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan."

2. House bill No. 273 (file No. 345), entitled

A bill to provide for the introduction and use of fire extinguishers upon all passenger and sleeping coaches run and operated by any railroad company or corporation doing business on any line of railroad within this State.

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bill:

3. House bill No. 304 (File No. 327), entitled,

A bill to amend sections 7 and 8 of an act entitled, "An act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State," being sections 2155 and 2156 of Howells annotated statutes, as amended by act No. 202 of the session laws of 1877, approved May 23, 1877.

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following bill:

4. House bill No. 303 (file No. 348), entitled

A bill to prohibit the use of stoves in passenger cars,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following bill:

5. House bill No. 403 (file No. 280), entitled

A bill to provide for the election of the commissioner of insurance and to further enlarge and define the powers and duties of the insurance bureau.

Which had been read through, and pending a motion that all after the enacting clause be stricken out, the committee rose.

GEORGE H. READER, *Chairman*.

Report accepted and committee discharged.

The first and second named bills were placed on the order of third reading.

On motion of Mr. Rounsville,

The House concurred in the amendments made by the committee to the third named bill, and it was placed on the order of third reading.

On motion of Mr. Hosford,

The House concurred in the action of the committee in striking out all after the enacting clause of the fourth named bill, and

The title and enacting clause were laid on the table.

The question being as to the disposition to be made of the fifth named bill,

On motion of Mr. W. W. Williams,

The bill was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 541 (manuscript), entitled

An act authorizing the city of East Saginaw to acquire by dedication, grant, or otherwise, the right to use and maintain the "city line ditch," so called, for the purpose of drainage.

Also,

House bill No. 924 (file No. 227) entitled

An act to amend section 4 of an act entitled "An act creating a bureau of labor and industrial statistics, and defining the powers and duties of the same," approved June 6, 1883, as amended by act No. 189 of the laws of 1885.

Also,

House bill No. 215 (file No. 215), entitled

An act making appropriations for the current expenses of the State Normal School for the years 1887 and 1888.

Also,

House bill No. 712 (manuscript), entitled

An act to repeal sections 4, 5, 6, 7, and 8, of article 16, of act number 348 of the session laws of 1869, being an act entitled "An act to re-incorporate the village of Fenton, and to amend section 7 of article 6, section 3, of article 16, section 4 of article 17, and section 1 of article 26 of act number 348 of the

session laws of 1869, being an act entitled 'An act to incorporate the village of Fenton,' and sections 2 and 8 of article 6 of act number 348 of the session laws of 1869, being an act entitled 'An act to re-incorporate the village of Fenton,' as amended by act number 362 of the local acts of 1879, being an act entitled "An act to amend section 2 of article 6, and to add a new section thereto to stand as section 8 of act number 348 of the session laws of 1869," approved March 26, 1869, entitled 'An act to re-incorporate the village of Fenton,'"

Also,

House bill No. 539 (file No. 265), entitled.

An act to amend an act entitled "An act to revise the charter of the city of East Saginaw," being act No. 355, local acts of 1885, approved May 19, 1885, being amendatory of an act entitled "An act to incorporate the city of East Saginaw," approved February 14, 1859, as amended by the several acts amendatory thereof.

ROBERT Y. OGG, *Chairman.*

Report accepted.

Mr. Abbott offered the following:

Resolved, That 500 extra copies of the Legislative Journal be ordered for the use of the House each day of the Dakin examination.

Which was adopted.

Mr. Wellman offered the following:

Resolved (the Senate concurring), That the Quartermaster General be and is hereby authorized to loan Wm. Sanborn Post No. 98 G. A. R. of Port Huron, St. Clair county, so much of the camp equipage belonging to the State as may be necessary to be used at the annual re-union of the Soldiers and Sailors' Association of Macomb and St. Clair counties to be held at Port Huron on the 3rd and 4th days of August, A. D. 1887.

Laid over one day under the rules.

On motion of Mr. F. H. Watson,

The House adjourned.

Lansing, Tuesday, April 26, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Jameson.

Roll called: quorum present.

Absent without leave: Messrs. Case and Dougherty.

On motion of Mr. Hill,

Leave of absence was granted to Mr. Case for the day.

On motion of Mr. W. A. Baker,

Leave of absence was granted to Mr. Dougherty for the day.

The hour having arrived for the

SPECIAL ORDER,

Being the consideration of the charges presented against Representative Milo H. Dakin,

Mr. Snow, on behalf of the committee to investigate charges against Representative Milo H. Dakin, presented the following supplemental report of amended specific charges and moved that they be substituted for those heretofore presented and adopted by the House.

SPECIFIC CHARGES.

Articles exhibited on behalf of the special committee of the House of Representatives of the State of Michigan, appointed April 20, 1887, against Milo H. Dakin, member of the said House of Representatives, from the first representative district of Saginaw county, in relation to the charges preferred against him for misfeasance, malfeasance, or venal and corrupt conduct in the office.

ARTICLE I.

That said Milo H. Dakin, member of the House of Representatives from the first representative district of Saginaw county, unmindful of the high duties of his office, and of his oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times between the day of taking his said oath of office and the time of the preferring of said charges receive from John H. Shakelton, Mayor of Saginaw City, certain sums of money for the purpose of corruptly using the same among the members of the House of Representatives of the Michigan Legislature in influencing votes for the passage of a bill to amend the charter of Saginaw City then pending before the committees on labor interests and municipal corporations of said House of Representatives.

ARTICLE II.

That said Milo H. Dakin, member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, and of his oath of office, did corruptly on the 19th day of April, A. D. 1887, and on divers other days and times, between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from said John H. Shakelton, mayor of Saginaw City, from Frederic L. Eaton of Saginaw, and from various other persons for the purpose ostensibly of corruptly using such money among the members of the House of Representatives of the Michigan State Legislature, to influence their votes in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committee on labor interests and municipal corporations of said House of Representatives, but, in fact, for the purpose of corruptly and unlawfully appropriating all or a part of such money for his own personal use and benefit.

ARTICLE III.

That said Milo H. Dakin, member of the House of Representatives, from said first representative district of Saginaw county, unmindful of the high duties of his office, and of his oath of office, did, corruptly, on the 19th day of April, in the year A. D. 1887, between the day of taking his said oath of office and the preferring of said charges, make a list of names of certain members of said House of Representatives, of the State of Michigan, together with the amount of money necessary to procure the vote and influence of each of said members named in said list, in favor of the passage of a bill

to amend the charter of Saginaw City, then pending before the committees on labor interests and municipal corporations jointly, to-wit:

S. Baker, \$5.
Baldwin, \$5.
Bentley, \$5.
Burr, \$5.
Crocker, \$10.
Diekema, \$10.
Dunbar, \$5.
Engleman, \$5.
Herrington, \$10.
Manly, \$10.
McCormick, \$5.
O'Keefe, \$5.
Perkins, \$10.
Rumsey, \$25.
T. H. Williams, \$10.

And that said Milo H. Dakin did represent to said Frederic L. Eaton, of Saginaw, that to secure the votes and influence of said members it would be necessary to use with each of them the amount of money set opposite his name, thereby bringing the good name and character of said members into ill-repute.

ARTICLE IV.

That said Milo H. Dakin, Member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, and of the oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from John H. Shakelton, Mayor of Saginaw City, Frederic L. Eaton, and from various other persons, for the purpose of corruptly using such money so obtained among the members of the House of Representatives of the State of Michigan, to influence their votes and efforts in favor of the passage of a bill to amend the charter of the city of Saginaw, then pending before the committees on labor interests and municipal corporations jointly, of the House of Representatives of Michigan.

Dated Lansing, Mich., April 26, 1887.

A. R. CHAPMAN,
JOHN V. B. GOODRICH,
H. W. THOMPSON,
A. B. PIERCE,
B. A. SNOW,

Committee on behalf of the House of Representatives.

Report accepted and committee discharged.

The question being on the adoption of the report,

The same was adopted, and the Speaker announced that the specific charges as so amended would stand as the specific charges in the case.

Mr. Chapman, on behalf of the committee, presented the following

RULES OF ORDER.

The following rules shall govern the proceedings of the House during the investigation of the charges preferred against Representative Milo H. Dakin:

RULE 1.—The House shall meet daily at 10 o'clock A. M., and continue in session until 12 o'clock noon—when the Speaker shall declare a recess until 2 o'clock P. M., when it shall meet again and continue in session until 6 o'clock P. M., when it shall adjourn.

RULE 2.—The Speaker shall preside and rule all questions of evidence, jurisdiction, and incidental questions, which ruling shall stand as the judgment of the House, unless some member shall demand that a formal vote be taken thereon, in which case it shall be submitted to the House for decision.

RULE 3.—At the opening of the investigation the Speaker shall direct the Sergeant-at-Arms to call the accused in the following manner: "Milo H. Dakin, appear and answer to the charges filed against you by the committee of the House of Representatives of the State of Michigan on behalf of said House." If said accused or his counsel shall appear they shall be assigned seats in front of the Clerk's desk. The said committee shall also be assigned seats in front of the Clerk's desk. The Clerk of the House shall then read the charges preferred, and the accused may file answer thereto, and read the same. If the answer raises a question of jurisdiction the accused shall be allowed thirty minutes to argue the same, and the committee a like time to answer.

RULE 4.—One of said committee shall be allowed fifteen minutes to open the investigation on the part of the House. The accused shall be allowed the same length of time to open the defense.

RULE 5.—Each witness as he is called shall be sworn or affirmed by the Clerk in substantially the following form:

You do solemnly swear or affirm that the evidence which you shall give upon the hearing upon certain charges preferred against Milo H. Dakin, member of this House, for misfeasance, malfeasance or venal and corrupt conduct in office, shall be the truth, the whole truth, and nothing but the truth, so help you God.

Witnesses in giving their testimony shall sit at the Clerk's desk.

RULE 6.—All the rules, legal and usual, governing cases of law in courts of record in this State not inconsistent herewith, shall be observed in the conduct of this examination.

RULE 7.—Any member of the House wishing a question to be put to a witness, or to offer a motion except a motion to adjourn, it shall be reduced to writing and put by the presiding officer.

RULE 8.—All proceedings or interlocutory questions, and all motions may be argued for not more than fifteen minutes on each side unless the House by motion extend the time.

RULE 9.—The final argument on the merits may be made by three persons on each side, and the argument shall be opened and closed by members of the committee on the part of the House, each speaker being allowed not to exceed thirty minutes.

RULE 10.—On the final question whether the charges are sustained, the yeas and nays shall be taken on each specific charge separately, but previous to the vote any member of the House shall be allowed to speak not to exceed fifteen minutes. If any one or more of the charges are

sustained by a majority vote of the members voting thereon the House shall then by resolution decide upon the punishment to be inflicted.

RULE 11.—Any one of these rules may be changed by a two-thirds vote of all the members elect without previous notice.

RULE 12.—The stenographers employed shall take the constitutional oath of office and shall take full minutes of all the proceedings, which shall be published daily in the Journal.

A. R. CHAPMAN,
J. V. B. GOODRICH,
H. W. THOMPSON,
A. B. PIERCE,
B. A. SNOW.

The question being on the adoption of the rules of order as reported, The same were adopted, two-thirds of all the members voting therefor.

Mr. Perkins offered the following:

Resolved, that the Chair is hereby instructed to request Messrs. Diekema and Herrington to assist in the conducting of the Dakin investigation;

Which was adopted.

The Speaker then, in accordance with the resolution, requested Messrs. Diekema and Herrington to confer with and assist the committee in the investigation now pending.

Mr. S. Baker moved that 300 copies of the Rules of Order just adopted, be ordered printed for the use of the House.

Which motion prevailed.

The clerk administered the constitutional oath of office to the stenographers, Fred Irland, Alonzo M. Haynes and Charles Flowers.

The Speaker.—The chair desires to state that it will be absolutely necessary that gentlemen present here to-day assist in keeping the best possible order, so that the testimony given by the witness may be heard by all the members, and further, that the back part of the house, back of the bar, be vacated, so that there will be no noise to disturb the members in the rear part of the room.

The Sergeant-at-Arms will now call the accused, Milo H. Dakin, to appear before the House and answer the charges which have been filed against him by the committee on behalf of the House.

The Sergeant-at-Arms.—Milo H. Dakin, appear and answer to the charges filed against you by the committee of the House of Representatives of the State of Michigan, on behalf of said House.

The Speaker.—Counsel for Mr. Dakin will be invited to occupy seats at the table, as well as the committee on the part of the House who are to conduct this investigation. They will please come forward and find seats.

The accused, Milo H. Dakin, with his counsel, F. L. Dodge, L. C. Holden, and Phillip T. VanZile came forward and were seated.

The committee on the part of the House, Messrs. A. R. Chapman, J. V. B. Goodrich, H. W. Thompson, A. B. Pierce, B. A. Snow, G. J. Diekema, and E. C. Herrington, also came forward and were seated.

The Speaker.—The Clerk will now read the charges preferred against Milo H. Dakin by the committee on the part of the House.

The Clerk read the charges as follows:

SPECIFIC CHARGES.

Articles exhibited on behalf of the special committee of the House of Rep-

representatives of the State of Michigan, appointed April 20, 1887, against Milo H. Dakin, member of the said House of Representatives, from the first representative district of Saginaw county, in relation to the charges preferred against him for misfeasance, malfeasance, or venal and corrupt conduct in office.

ARTICLE I.

That said Milo H. Dakin, member of the House of Representatives from the first representative district of Saginaw county, unmindful of the high duties of his office, of his oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times between the day of taking his said oath of office and the time of the preferring of said charges, receive from John H. Shakelton, mayor of Saginaw City, certain sums of money for the purpose of corruptly using the same among the members of the House of Representatives of the Michigan Legislature in influencing votes for the passage of a bill to amend the charter of Saginaw City, then pending before the committees on labor interests and municipal corporations of said House of Representatives.

ARTICLE II.

That said Milo H. Dakin, member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, of his oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times, between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from said John H. Shakelton, mayor of Saginaw City, from Frederic L. Eaton of Saginaw, and from various other persons for the purpose ostensibly of corruptly using such money among the members of the House of Representatives of the Michigan State Legislature, to influence their votes in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committees on labor interests and municipal corporations of said House of Representatives, but in fact for the purpose of corruptly and unlawfully appropriating all or a part of such money for his own personal use and benefit.

ARTICLE III.

That said Milo H. Dakin, member of the House of Representatives, from said first representative district of Saginaw county, unmindful of the high duties of his office, of his oath of office, did, corruptly, on the 19th day of April in the year A. D. 1887, between the day of taking his said oath of office and the preferring of said charges make a list of names of certain members of said House of Representatives, of the State of Michigan, together with the amount of money necessary to procure the vote and influence of each of said members named in said list, in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committees on labor interests and municipal corporations jointly, to wit:

S. Baker.....	\$5 00
Baldwin.....	5 00
Bentley.....	5 00
Burr.....	5 00

Crocker.....	\$10 00
Diekema.....	10 00
Dunbar.....	5 00
Engleman.....	5 00
Herrington.....	10 00
Manly.....	10 00
McCormick.....	5 00
O'Keefe.....	5 00
Perkins.....	10 00
Rumsey.....	25 00
T. H. Williams.....	10 00

And that said Milo H. Dakin did represent to said Frederic L. Eaton, of Saginaw, that to secure the votes and influence of said members it would be necessary to use with each of them the amount of money set opposite his name, thereby bringing the good name and character of said members into ill-repute.

ARTICLE IV.

That said Milo H. Dakin, member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, of his oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from John H. Shakelton, Mayor of Saginaw City, Frederic L. Eaton, and from various other persons, for the purpose of corruptly using such money, so obtained, among the members of the House of Representatives of the State of Michigan, to influence their votes and efforts in favor of the passage of a bill to amend the charter of the city of Saginaw, then pending before the committees on labor interests and municipal corporations jointly of the House of Representatives of Michigan.

Dated Lansing, Mich., April 26, 1887.

A. R. CHAPMAN,
JOHN V. B. GOODRICH,
H. W. THOMPSON,
A. B. PIERCE,
B. A. SNOW,

Committee on behalf of the House of Representatives.

Report accepted.

The Speaker—Mr. Dakin will now have an opportunity to answer the charges.

Mr. Holden—Before answering, the counsel for the accused desire to request of the committee of the House the particulars of these charges, especially wherein it says, after fixing the date wherein these acts were done “and on diverse other days and times,” and also in article four, after mentioning that he solicited from John H. Shakelton, Mayor, and Frederick L. Eaton “and from various other persons,” we wish to know the names of the persons, and when this was done, in order that we may plead. It is in the nature of a bill of particulars, which, in fairness to the defendant, we believe should be furnished us at this time.

The Speaker—Do the members of the committee desire to be heard on the question?

Mr. Conductor Herrington—I would say that so far as I know there are no persons except Mr. Eaton and Mr. Shakelton from whom Mr. Dakin tried to obtain money, and that the date was on the 19th. We drew the articles in this way so as to cover any discrepancy which might occur as to the date or as to persons. It is drawn as declarations are drawn in court, stronger perhaps than we expect the evidence will sustain, in order to cover any contingency which may arise. I will state to the gentleman, however, that, so far as the committee are concerned, they do not intend to introduce proof of Dakin obtaining or attempting to obtain money from any other persons than Mr. Eaton and Mr. Shakelton, and the date as I understand is the 19th.

Mr. Holden—Then, Mr. Speaker, are we to understand from that that the matters for which we ask the particulars will be regarded by this House as surplusage, for the purpose of the trial.

Mr. Conductor Herrington—I cannot, on behalf of the committee, grant the gentleman's request. I will say that we would be willing to limit the time to the 18th, 19 h, and 20th. I think that will be satisfactory to the committee.

Mr. Holden—May I ask if it will be confined to Lansing as to the place.

Mr. Conductor Herrington—We object to any such restriction as that. As I understand it it is not necessary that it occurred in Lansing. Anywhere in the State of Michigan or in the United States would make Mr. Dakin equally guilty.

Mr. Holden—That we concede, but for the purpose of having an understanding at first, and that we may be as fully informed as possible, I ask it only, not that it is any less an offense in one place than in another.

Mr. Conductor Herrington—On behalf of the committee we shall object to the restriction to Lansing.

Mr. Holden—Mr. Speaker, we demand a bill of particulars of the places, times and persons.

The Speaker—The chair is of the opinion that the demand on the part of the counsel for the accused would not be entertained; that only such a demand would be entertained coming from some member of the House, the House having adopted these charges as being specific.

Mr. Hosford offered the following:

Resolved, That the committee of management upon the part of the House be requested to furnish counsel for the respondent, a bill of particulars of the persons from whom, the time when, and the places where, amounts of money were received or solicited as set forth in the several articles of specific charges.

The Speaker—The question is upon the adoption of the resolution.

Mr. Conductor Herrington—We do not care to be heard without the other side say something.

Judge VanZile—It seems to me, Mr. Speaker, that this ought to be granted. This man will stand here, after he has pleaded to these charges, as a defendant answering an indictment. Certainly this House of Representatives of the State of Michigan ought not to ask a man to stand here charged with so grave an offense as this without his knowing the specific charges that he is to answer to. They have merely told us that we have solicited money

of Mr. Shakleton and Mr. Eaton and of various other persons. Now, what other persons? That we have solicited on the 19th of April and on divers other times. What other times? And where? Is it possible that this man is to be called upon to stand here upon vague charges, that even his counsel cannot understand, and that this great House of Representatives of the State of Michigan will say that they do not understand. Our request is one that I think the committee ought to grant without asking this House to pass upon it, and this House ought to say for what he is to be tried.

Mr. Conductor Herrington—We have already consented to limit the time to the 18th, 19th and 20th of April. We have also consented to limit the persons to Mr. Eaton and Mr. Shakleton, so that all they ask which we have not granted is that we shall name the amount of money. Now I insist that that could not be required in a court of law and I deny that this is a formal proceeding like a trial in a court of justice or an impeachment trial. We are proceeding in an informal way to investigate the truth of these charges, and all that is required is that Mr. Dakin be given an opportunity to appear and answer. Now the guilt is just as great, so far as determining whether these charges are sustained or not, if he obtained one penny or tried to obtain one penny. It is the duty of this House to find these charges sustained just as much as though he had tried to obtain one million dollars. The amount is immaterial. The question is whether he did try to obtain the money. If we are limited as to the amount here and we say five dollars and some witness puts it at ten, then that proof would be thrown out. I say it is unjust and improper to require us to name the specific amount. Next as to the place where. A witness might have told this committee that the conversation took place on the street here in the city of Lansing. Afterward in thinking it over it might come to him that it occurred on the cars. Several conversations might have been had upon the matter, one in Lansing, another in Saginaw and perhaps another on the train between here and there; and to limit us, to say that we shall name these places, would also be unjust. The great question is, "Did he solicit money?" not the amount nor where. Did he solicit it? That is the question we are to determine.

Mr. Holden—Mr. Speaker: In reply to the gentleman's argument, I call attention to rule 6, which reads as follows: "All the rules legal and usual governing cases at law in courts of record in this State, not inconsistent herewith, shall be observed in the conduct of this examination." The rule itself answers the part of the gentleman's argument in which he says we are not to be governed by the methods of procedure in courts of justice. In regard to the other part, in which he says it is improper for us to ask the amounts of money that he obtained, or sought to obtain, I say we have not asked it. The gentleman misapprehends the wording of the resolution. We ask for the place where.

Mr. Conductor Herrington—Let me read as follows: "The places where and amounts of money."

Mr. Van Zile—"Places where amounts of money." Not "and amounts."

Mr. Conductor Herrington—I misapprehended the wording of the resolution.

Mr. Holden—The writing is in the hand of a lawyer and the gentleman might very readily mistake it. Now, if we are not to have the specific places as nearly as may be consistent with justice and in accordance with the usual and established methods of procedure and rules of evidence governing courts

of record in this State, then why present any charges at all? This is a most serious matter. If convicted the stigma, the stain and disgrace is greater in my judgment than if this respondent had been convicted of a felony in a court of justice; for I cannot imagine a greater disgrace than the expulsion of a member of this honorable body by his associates. It is important to him and alike important to the people of this State. We ask simply that the members of this House accord to this respondent the particulars of the transaction as fully as may be, and in accordance with the rules of procedure as mentioned in rule 6.

Mr. Conductor Diekema—Mr. Speaker: In answer to the argument made by the last gentleman, let me say that this House of Representatives has already been more specific than was at all necessary. All that would have been necessary would have been to appoint a committee, allow the accused, Mr. Dakin, to appear before that committee, present the report of that committee, and then this House might act. But this House in its sense of fairness and justice to the accused, has already gone far beyond that and has given charges just as specific as it seems to me the gentleman representing him ought to ask. We insist that we will make them no more specific relative to place, and this is the only question that now is before us.

The Speaker—The question is on the adoption of the resolution offered by the gentleman from Wayne, that the committee specify more particularly the parties and places where and from whom Mr. Dakin solicited money.

The resolution was then not adopted by the House.

The Speaker—Counsel for the accused may now file answers to the charges on the part of the committee.

Mr. Holden—The defense ask for time in which to file written answers, for this reason: The counsel, a part of them at least, did not arrive in this city, and knew nothing of the charges until after eleven o'clock last night. A conference was then had, as fully as might be at that late hour at night, but we were unable to complete our answer. We had it nearly completed, but by reason of the change which has since been made we desire to formulate it anew, and believe that it is in the interest of the defendant that it should be done. I will say that the question of jurisdiction will not be raised in the answer, as I believe. We shall be as expeditious as possible.

The Speaker—If the counsel are granted more time it will be necessary to come in the form of a motion from some member of the House.

The counsel for the accused and the committee held a short consultation.

Judge Van Zile—Mr. Speaker: After consultation with the gentlemen of the committee, it is agreed that we shall proceed as though an answer of general denial were filed, and that during the day the formal answer will be completed and filed, and stand as the answer filed as of this time, that is, to be filed at that time *nunc pro tunc*.

The Speaker—That being the agreement between the committee and counsel for the accused, some member on behalf of the committee will now be allowed to open the case before the House.

Mr. Conductor Goodrich—Mr. Speaker and gentlemen of the House of Representatives: We have before us to-day such a case as has never been known in the history of this State, where an attempt has been made to try one of the members of the House of Representatives of the State of Michigan. You are to act as jurors upon this case and I propose to make a short statement to you. I do not consider it necessary to make a lengthy statement for two reasons; first, that the committee appointed for the purpose of

prosecuting this case on behalf of the House believe that it is proper and right to expedite matters as much as possible. The second reason is, that although you are to sit as jurors you may not be considered as jurors in the common acceptation of the term in courts of record or before Justices of the Peace, for the reason that they are not supposed to know anything about the case that is at issue. It has almost become a noted fact that if a man has learned to read or write it is a disqualification for him to sit as a juror. But you know something of this case, you know all about it, as far as the charges are concerned. You have heard them read, you have talked this matter over among yourselves and you understand it fully, and that is the reason why I do not propose to make a lengthy statement before you.

In the first place I will say that the committee who have been appointed by this House to prefer charges against Milo H. Dakin accuse him of misfeasance, malfeasance and venal and corrupt conduct while a member of the House of Representatives of the State of Michigan. And I will say this, gentlemen of the House, that we expect to prove every one of the charges that we have made against him. Although we may be sorry and mourn almost, as it were, that these things have occurred, yet we expect to prove misfeasance, malfeasance, venal and corrupt conduct upon the part of Milo H. Dakin, a member of this House. Permit me to say, gentlemen of the House, as there may be some among you who do not perhaps understand the real definition of these terms that we use, malfeasance, misfeasance and venal or corrupt conduct. I will give you the definition of misfeasance as it is laid down in Webster, and as it is also laid down in our law dictionaries. First, misfeasance is a trespass in law. It may be recognized as a trespass, but yet there is a further definition to it in law. It may be any wrong perpetrated. It is a wrong perpetrated by another. A wrong doing is another definition. Another definition is the improper doing of an act which a person might do lawfully, an improper act of a person which he might do lawfully. It might be a wrong act, morally wrong, it might injure himself or injure those by whom he is surrounded, and yet not be an unlawful act. This, as I understand, is the definition of the word misfeasance.

Malfeasance is doing of an act which a person ought not to do. Another definition or malfeasance is, evil conduct. Now, we say that if the member of this House who has had charges preferred against him is guilty of evil conduct, that member is guilty of malfeasance in office. That if he has committed this evil conduct during his term of office. Another definition is, "an illegal deed." You will readily see under the definition of this word malfeasance, that it is the doing of an act which a person ought not to do, and also evil conduct. We expect to prove these against the respondent in this case. We expect to prove that he wrongfully, on or about the 19th day of April of the present year, did receive a certain sum of money from the mayor of the city of Saginaw for certain purposes, and those purposes we expect to prove were corrupt purposes, and that he committed a wrong act in receiving that money for the purpose that he did receive it for.

We expect to show this by testimony that will be produced. We expect further to show that he not only received money for the purpose of expending that money, under his own statement of the case, for the purpose of spending it among the members of this House, but that he took it for the purpose of influencing votes in this House, under his statement of the case—for the purpose of obtaining members to vote for a certain bill then pending before the Legislature of the State of Michigan. We expect to show these facts,

and thereby show that he did commit a gross wrong, that his conduct was bad and that he is guilty of misfeasance and malfeasance in office.

We expect further to show that he not only received money for this purpose, but that he solicited and continued to solicit more money from the same party for this special purpose, the purpose being not directly to influence votes, but as he said, as we expect to prove, "to see the boys with." In response to a question being asked him if he thought that the members could be influenced in that way with money, he said "Why yes, of course they can." And by making that statement we shall hold, as we think that we are able to prove these things against the respondent in this case; I say by making that statement we shall contend before this honorable body that the respondent in this action is guilty of malfeasance and of misfeasance in office.

But we have another charge here. Notwithstanding that we accuse the respondent of making these statements and of saying these things, that members could be influenced, that he could influence the votes of members in this direction, yet from his own confession and from his own statements we believe that he has perpetrated a gross wrong in this, and we accuse him of this—of telling a falsehood in the case because, under his own confessions, he has said that he did not believe—

Mr. Van Zile—Where is that charge? I do not find it.

Mr. Conductor Goodrich—In the second article.

Mr. Van Zile—There is no such charge here in the bill, that he has committed falsehood.

Mr. Conductor Goodrich—I leave the gentleman to determine this for himself as he reads the charges. If he will read the second charge and the fourth charge he will see that this committee have accused the respondent of telling a falsehood, although they may not have said it in so many words. I will read the charges. The second article reads:

"That said Milo H. Dakin, member of the House of Representatives, from the first representative district of Saginaw county, unmindful of the high duties of his office and of his oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from said John H. Shackelton, Mayor of Saginaw City, from Frederic L. Eaton of Saginaw, and from various other persons for the purpose ostensibly of corruptly using such money among the members of the House of Representatives of the Michigan State Legislature, to influence their votes in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committees on labor interests and municipal corporations of said House of Representatives, but in fact for the purpose of corruptly and unlawfully appropriating all or a part of such money for his own personal use and benefit."

Here is the charge made by the committee: "But in fact for the purpose of corruptly and unlawfully appropriating all or a part of such money for his own personal use and benefit."

Here the Speaker's gavel fell.

The Speaker—The gentleman's time is up. What is the pleasure of the House?

Mr. W. W. Williams moved that the time of the gentleman be extended, Which was agreed to.

Mr. Conductor Goodrich (Resuming)—Now, we expect gentlemen, to show to you clearly, not only from his own confessions, but from the circum-

stances of the case, notwithstanding he had received this money, notwithstanding he had solicited other moneys, yet he did not intend to use the money, as he has stated and confessed to others, but to put this money in his own pocket; and hence we accuse him in this way of falsifying. You will see that the fourth article reads the same way, except the last portion of the article.

This, gentlemen, is all that I care to state to you upon this occasion. My time is up. I intended to be short. As I said before, we expect to prove that this respondent is guilty of wrong doing, of bad conduct, that he has not only injured himself, but by his conduct, by his ungentlemanly deportment, so far as that is concerned, brought a reproach and a stain upon this House and upon the members connected with this Legislature that it will take years to obliterate. I say that, if we prove the charges that we have laid against him, he is guilty of misfeasance, malfeasance and venal conduct while a member of the Legislature of the State of Michigan. We have preferred these charges against him, believing that you will deal justly with him, and that you will weigh carefully and seriously all the evidence that shall come before you.

We, as committeemen, appointed by the House, feel that we have something upon our shoulders; that we have a burden of responsibility in the work that is before us. But we want to act fairly and we are determined to do so. And while we are attempting and shall desire all the way through the trial of this case to act fairly and honestly and candidly, yet we also want to see the dignity of the House of Representatives and of this Legislature maintained, and we are determined to do this faithfully and honestly and to bring before this House who sit as a jury, as I said before, all the facts pertaining to the case.

Mr. Dodge—Will the gentleman permit me to interrupt him?

Mr. Conductor Goodrich—Certainly.

Mr. Dodge—Will you please define the term "venal conduct."

Mr. Conductor Goodrich—The gentleman asks me to define the term venal conduct."

Mr. Dodge—As used in this connection.

Mr. Conductor Goodrich.—The definition is "To be bought or obtained for money." That is one definition that Webster gives: "To be bought or obtained for money." Now, any man that can be bought or can be obtained for money I apprehend is guilty of venal conduct. The definition goes further: "To be bought or obtained for money or other valuable consideration." Anything, I do not care what it is, if it is only a drink of beer, he is guilty if he can be bought for a drink of beer, or a drink of whisky, or a cigar. He is guilty of venal conduct under the definition. If he is made a matter of trade or barter, or if he is held for sale in any way, he is guilty of venal conduct.

Mr. Van Zile.—Is that charged against the respondent?

Mr. Conductor Goodrich—We charge him with venal conduct, certainly. We set it right out in the preliminary statement. It is already embodied in these articles in this way:

Mr. Dodge—Which article is that contained in?

Mr. Goodrich—It is at the head, at the beginning, and in that way it runs through all the articles, being connected with articles 1, 2, 3 and 4. We set it out at the head of our articles and we say:

"Articles exhibited on behalf of the special committee of the House of Representatives of the State of Michigan, appointed April 20, 1887, against

Milo H. Dakin, member of the said House of Representatives from the first representative district of Saginaw county, in relation to the charges preferred against him for misfeasance, malfeasance or venal and corrupt conduct in office."

We consider that he is guilty of all this if we prove the charges to be true.

The Speaker—Is it the pleasure of the counsel for the accused to open their case now?

Judge Van Zile—Not at this time.

The Speaker—The gentlemen on behalf of the committee will now bring forward their witnesses in support of the charges against Mr. Dakin.

Mr. Frederick L. Eaton being produced and duly sworn, being examined by Mr. Conductor Diekema, testified as follows:

Q. Where do you reside?

A. Saginaw City, Michigan.

Q. How old are you?

A. Fifty-one years.

Q. How long have you been a resident of Saginaw?

A. Upwards of twenty years.

Q. Have you held any official position there?

A. I have, several.

Q. What are they?

A. I held the office of Justice of the Peace for eight years, member of the board of supervisors for about twelve years I think, comptroller of the City of Saginaw for six years. During the last year I held the office of city attorney.

Q. Are you acquainted with Milo H. Dakin, Representative from the Saginaw district?

A. I am to a certain extent.

Q. How long have you known him?

A. Casually four or five years, perhaps six.

Q. Did you meet Mr. Dakin on or about the 19th day of April last?

A. I did.

Q. Where did you meet him?

A. In this city. First in this building.

Q. What part of this building?

A. In the corridor on the lower floor; not the basement, but the first floor.

Q. Who was present with you when when you met Mr. Dakin on the 19th?

A. J. Smith, of Saginaw City.

Q. In what part of this city did you meet Mr. Dakin?

A. As we came in at the front door coming from Michigan Avenue.

Q. Was Mr. Dakin alone?

A. No; Mr. Fellows, of Saginaw City, was with him.

Q. Did you have any conversation with Mr. Dakin at that time?

A. I did.

Q. About what time of day was it?

A. About half past ten o'clock in the morning. It was on the arrival of the Saginaw train.

Q. What was your business in Lansing that day?

A. There was pending at that time before the committee on labor interests and the committee on municipal corporations of this House a bill to revise the charter of the city of Saginaw. I was one of a committee charged with

presenting the merits of that bill to the committee, and a session of the committee for that purpose had been appointed for that day at one o'clock, and I was here in company with other citizens of that committee from Saginaw for the purpose of discharging that duty.

Q. Did you at that time have any conversation with Mr. Dakin about this bill?

A. I did.

Q. State what it was.

A. Mr. Smith and myself both saluted Mr. Dakin and Mr. Fellows. I then said to Mr. Dakin "What is the situation of our bill at the present time?" Mr. Dakin replied, "There will be nothing done, there is no use of your going up." I said that of course there would be nothing done that morning, as the appointment was for one o'clock.

He said, "There will be nothing done, then; there will be nothing done to-day." I asked why not, and he said, Mr. Shackleton and Mr. Representative Linton have gone to Saginaw and there will be nothing done until the return of Mr. Shackleton." I asked him how that interfered with our having a hearing before the committee. Mr. Dakin had started along a couple of steps toward the front door. He turned and stepped back toward me and said, "I sent for Mr. Shackleton, or I spoke to Mr. Shackleton," (I am not certain of the word he used there), "to come down here, and he was expected to bring some money to put this bill through the House, but he did not bring any except seven dollars; he gave that to us and we have used it, but that don't amount to anything and he has gone back to Saginaw to get some more money." I said, "What do you want money for? Are there any expenses to pay?" and he said, "Yes; you know what I mean. We have got to have some money to put this through with." I said, "Do you mean to say that you have got to use money with the committee?"

He hesitated a moment and said "No, I think the committees are all right, but we have got to use some money among the members." I said, "Do you think that the passage of measures can be promoted amongst the members of this house by the use of money?" He smiled and said, "Why, of course, it can." That is all that occurs to me now that he said to me now. He then turned and went towards the front door. Mr. Fellows spoke to me and we stepped aside by the clock, where the electric clock stands, and Mr. Fellows spoke with me a minute, and then I came on up into the house.

Q. Where was Mr. Smith at this time?

A. Mr. Smith stopped by us until about the time that Mr. Dakin turned towards the front door. It strikes me that some person came along to whom Mr. Smith spoke, and he started to come along.

Q. Before the end of this conversation?

A. Yes, sir, I think about the time Mr. Fellows and I stepped to one side was about the time Mr. Smith started to come along.

Q. Where did you go after this conversation took place?

A. I came up into the hall to speak with the chairman of the committee. It occurs to me now that Mr. Dakin said there would be no hearing until Mr. Shackleton returned. I then asked him if there had been an arrangement made with the committee for a postponement of the hearing? He said there had. I wanted to be entirely certain that there was no misunderstanding about it, and so I came up for the purpose of seeing the chairman, but I saw that the members were busy on the floor and I stopped but a few moments and went down.

Q. Did you meet Mr. Dakin again that day?

A. I did.

Q. About what time?

A. I should think about eleven o'clock or a little past.

Q. Where did you meet him?

A. As I said I went down from this building. As I got down at the crossing of Capital avenue, I believe the street is called that goes from the building down, and Michigan avenue, if I am right in the name of the street that crosses it, I saw on the opposite side of the street Mr. Recorder Crowley of the city of Saginaw, who came down with us that morning as one of the gentlemen, and Mr. Dakin and Mr. Fellows standing on the opposite corner. I crossed over to them and spoke to them a few words, then I made some further inquiry of Mr. Dakin about the charter. I think I asked him at that point what had taken place with reference to our charter since we were here on a former occasion.

Q. What answer did he make, if you remember?

A. He immediately spoke of Mr. Shackleton's going back to Saginaw for money.

Mr. Holden—Tell us what he said.

A. He said "Mr. Shackleton came down last night; he and Mr. Linton have been talking over about a compromise, and we need some money and he has gone back to Saginaw for them to consult the people there and to get some money." There were a good many persons passing there at that time, I suppose around the corner in a space of 30 feet each side of us were perhaps 15 or 20 persons passing one way or the other, and the four of us standing there were in the way of persons passing, and we stepped one side and moved along the length of the bank building. During that time I don't remember that anything was said upon that subject. At the end of the bank building there is a restaurant, I think it is marked on the window the "Windsor," and I think some one suggested that we go inside, I don't remember which it was, I am certain it was not myself, but one of the party. We went inside. The front room was a small room, with a counter on one side, with candies and confectionery if I remember right, and back of that was a dining room with some tables; it was suggested that we sit down there and talk about the matter. We went into one of those stalls and sat down by the table and resumed our conversation.

Q. Who sat down at the table?

A. Myself, Mr. Dakin, Mr. Fellows, Mr. Crowley—the four of us.

Q. State the conversation that took place there?

A. I then said: "I would like to have you now tell me, Mr. Dakin, definitely, what you regard it necessary to do in regard to our bill." He turned around towards me and said: "As I told you before, we never can get that bill through the House unless we have some money to do it with." I inquired of him how much money he wanted or he needed—no, that was not the next inquiry. The next inquiry I made of him was this: I said, "If we get a favorable report from the committee is there any doubt but that that report will be adopted by the House?" He said, "There is no doubt of it if I can have what I need to do it with." I said, "How much have you an idea that you will need?" He said, "That I cannot tell until I begin to work; until I canvass this matter some more." He said, "Now, we were out last night; we were out until twelve or one o'clock with some of the boys, we were out with seven of them and we spent considerable money. There is four of them

are all solid," or words to that effect; he used the word "solid" and as to their being "all right." Mr. Fellows took some part in the conversation. Shall I relate what Mr. Fellows said?

Q. Yes. This was in the presence of Mr. Dakin?

A. Yes, sir; while we sat there at the table.

Q. This was on the same day, the 19th, was it?

A. Yes, sir.

Q. Here in the city of Lansing?

A. Yes, sir; Mr. Fellows remarked that he was promised some money before he came down here, but no one gave him any money and he came with what he had in his pocket; that he had \$32 in his pocket when he left home, he had paid his expenses and he had used it all up. This was on Tuesday, and he said that he came down on the morning train Monday. I then asked Mr. Dakin how much money he had an idea he was going to need, and he replied as I stated, that he could not tell until he had made a canvass.

Q. Did Mr. Fellows indicate in what manner he had spent that \$32 at that time?

A. I don't think he did while we were sitting by the table.

Q. What did Dakin say in reply to your question how much money he was going to need?

A. That he could not tell until he began to work, until he had made some further canvass in the matter. He said that Mayor Shackelton had promised to telegraph them down some money as soon as he got home, that they could not commence work until they got some money, because if they should go to a man and talk with him and promise him some money—he didn't say "promise him some money," he said "make any promise to him."

Mr. Van Zile—Supposing you make the correction so that the House can hear it.

He said, "If we should go to a man and talk with him and make him any promise, and then for any reason I would fail to get the money, he would be disappointed, and he would go back on us, and it would hurt us rather than help us," and so they could not commence doing any work until they got the money. I then said, "Is this a prudent thing to be talking about the use of money in this way?" He said "Yes; you gentlemen don't need to be known in the matter, at all; you furnish the money to me; or if you don't want to trust me, you can give it to Mr. Fellows and I will attend to the rest of it." I said, "What do you propose to do with it; how do you propose to use it?" He said, "Well, I am pretty well acquainted with a good many here. Now, there is a large number (I think thirty-four was the number stated), of Grand Army men here that are members, and I am pretty well acquainted with them, and so is Mr. Fellows. I will go and see any one of them that I deem proper, and talk with him, and if I think I can use some money with him I will make an appointment for him to meet Mr. Fellows, then I will see Mr. Fellows and Mr. Fellows will give him what I think is proper." I asked how many members there were—or, at this point I said, "Is this customary, when a bill is pending here, do members expect to be seen in this way?" He said, "Why, of course they do."

I again pressed the inquiry how many there were of those that he would want to see. He said that there were a good many of these Grand Army men and there were a good many Democrats too that were not Grand Army men, and he could not tell until he had canvassed the matter. I said "Suppose you name them over and let us see." He commenced very thoughtfully and

mentioned, I think, about two names, I do not recollect who they were, that he wanted to see, and he hesitated. I pressed the inquiry some more as to the number, and he did not seem to make any progress in stating the number. I then thought of a roll call that I had in my pocket and I took that out.

Q. Mr. Eaton, do you recognize this communication?

A. I do, sir.

Q. Is that a communication made by you to this House?

A. That is a communication that I made to the Speaker.

Q. Do you recognize this roll call?

A. That is the roll call I allude to.

Q. That is the one you took out of your pocket at that time?

A. Yes, sir.

The Speaker—This question has been handed up: Did Mr. Dakin mention any names that he was out with the night before that were "solid?"

A. He did not.

The Speaker then announced in accordance with the rule, that the House would stand at recess until 2 o'clock P. M.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

The investigation of the charges against Representative Dakin was then resumed.

The Speaker—The committee on the part of the House will proceed with the examination of the witness, and the members will please give attention.

Frederic L. Eaton, recalled.

Examination resumed by Mr. Diekema:

Q. At the close of the session this morning you stated that at the time you were together there in this stall you took out a roll call from your pocket. Will you go on and continue the conversation that took place at that time? Narrate it.

A. After Mr. Dakin made such slow progress in naming the parties whom he wanted to see, I took out this roll call and commenced reading the names over myself. Mr. Dakin sat at my left.

Q. (Showing witness a roll call.) This is the roll call, is it?

A. This is the roll call. As I read the names he would say, "Now such a man I shall want to see."

Mr. Holden—Tell us what he said. Do not give us your construction. Give the names of the persons.

A. As I read the second name—the second name that I read, Mr. Allen—he said, "There is a man I shall want to see." I passed along down until I came to Mr. Baker, and he mentioned Mr. Baker. At the same time he took hold of the side of the roll call and as he went along mentioning the names, I tried to keep count of them. When I had got along down so that I had counted about seven names, some conversation took place which I do not remember; but which made me lose the count.

I then said, "Mr. Dakin, take your pencil and check those names which

you want to see." He took a pencil and commenced checking, and after he had checked two or three upon the left hand side he said "this roll call has already been checked before." I said "Make a different mark then." He looked it down and he said, "There are no marks on the right hand side and I will check it on that side." So he commenced again and went through and checked it, during which time I don't remember that there was any conversation about this matter. He then counted the names that he had checked and said, "There are seventeen that ought to be seen, and there may be others; I can't tell about that till I get to work." I then said, "What is your idea of the amount that you are going to use with each one?" He said, "Some I should give more and some less. That will depend on circumstances." I then said, "Put down the amounts which you think you would wish to use and let us make an estimate of this." He took the pencil and went over the list again, occasionally making some remark.

I do not recall any of the conversation until he came to the name of Representative Rumsey. He says there is a man that I shall have to give as much as \$25 to secure. Mr. Crowley remarked that he had on a former occasion been introduced to him, and that Mr. Rumsey was a very able man. That was about the only remark that Mr. Crowley made during the checking and marking. I then took the list and added it up and said, "That amounts to \$125," he said yes, and undoubtedly there will be others that I shall want to see in addition to that. About this time, in the adjoining room I think they began to go in to dinner, or else there was a call to dinner, and some remarked it is dinner time, and we got up and started out. When we got up I had the roll-call in my hands. I turned around to get my hat which was on the floor, and as I turned back Mr. Dakin had taken the roll-call and put it into his pocket. I paused a moment and I said "Mr. Dakin, let me see that paper again." He took it out and I looked at it a moment while he waited for me and then folded it up and put it into my pocket, and that ended that interview.

Q. How did you happen to have that roll call in your pocket?

A. I had it in my pocket for at least a month. On a former occasion, I think it was the second time the Saginaw deputation were here to see about the charter, and they had been here, I think this was the eighth time. We found that the hearing was postponed, and we were standing in the back part of this room. There was Mr. Jerome, ex-Senator Foot, Col. Little, Mr. Crowley and one or two other gentlemen and myself. It was suggested that inasmuch as we were not to have a hearing that day and we could not get away until night, that we busy ourselves by calling upon such members as we were personally acquainted with and seeing if there was a feeling of opposition to the charter, as had been represented, or what the feeling was. Each one to see his acquaintances personally, and the inquiry was made as to whom each one was acquainted with.

I could not recall, although I knew I was acquainted with several, I could not recall their names. Ex-Senator Foote sent for a manual, said we would look at a list of the names. Col. Little suggested that the most convenient thing was to get some copies of the roll call, and I think he sent a boy to the clerk's desk, or some other place, and he came back with half a dozen or more copies, and each of us took a copy and looked it over. After we had looked them over we put them into our pockets. Mine had remained in my pocket from that time until the time I speak of.

The Speaker—The following question has been handed to me to be put to the witness:

Q. How did it come that Mr. Dakin did not name any amount opposite Mr. Allen's name?

A. That name, and at least one other name, I saw that he checked he did not place any figures after. No reason was assigned. No remark was made about it.

Q. Will you explain how these checks happened to come on the left hand side. There are other checks are there not?

A. Yes, sir. When that roll call was first handed to me I took my pencil and as I ran down the names I ran down to see if it was a full roll call of the House, that is, if the roll call was full, and I made a check every ten names and I think those were all of the checks that were on the roll call at the time I handed it to Mr. Dakin. Mr. Dakin commenced checking it on the left hand side and he made all of the checks except the checks here at the end of each ten names. Those checks between each ten names were made when the roll call was first put into my hands a month ago.

Q. You say you were in a restaurant and a sort of a saloon. Was there any liquor used at that time by any of you?

A. Yes, sir.

Q. State how much, and what and by whom was it used?

A. A little before I took the roll call, the landlord of the place I suppose, came to the door and looked in a moment and said "Gentlemen, can I do anything for you?" Mr. Crowley said "Yes, let us have something," and someone said "What will you take, what will you take?" and each of us named the beverage of his choice and it was brought in.

Q. Won't you give us a history of yourself from that time on until you came to Saginaw, what you did?

A. I held the office of Representative, that was immediately after I came from college.

Q. You were how old at that time?

A. I was born in 1835, and that was in 1860. I was 25 years old. same year I came to Michigan. I stopped in Lenawee county, in the village of Blissfield. I had charge of the school there for about the five following years, during which time I read law, was admitted to the bar and commenced practice in Blissfield. About 1865 or 1866 I came to Saginaw.

Q. You have lived there ever since?

A. I have lived there ever since.

Q. I think you stated this morning, on your direct examination, that the first office you held in Saginaw city was that of justice of the peace.

A. Yes, sir.

Q. How long did you hold that office?

A. I think it was eight years.

Q. How long had you been in Saginaw before you were elected to the office of justice of the peace?

A. It was the following spring.

Q. On what ticket?

A. On the democratic ticket.

Q. How long did you hold the office of justice of the peace?

A. I think it was about eight years, and I don't recollect, it is possible that the first time I was elected it was to fill a vacancy, and it might not have been quite eight years.

Q. What was the next office that you held?

A. At the same time I was elected several times as supervisor of my ward.

Q. On what ticket?

A. On the democratic ticket.

Q. How many times did you represent your ward on the board of supervisors?

A. I think I was elected from my ward at least twice, possibly three times. I was then appointed controller of the city, and by virtue of being controller was *ex-officio* a member of the board of supervisors. I have held that position by appointment once since.

Q. What was the next office aside from justice of the peace and controller that you held in Saginaw city?

A. I had been on the board of health, if you would call that an office, for about fifteen years, and have been president of the board for about twelve years.

Q. What office have you held in Saginaw City other than those?

A. A year ago I was appointed city attorney and held that office during the present year.

Q. Are you still city attorney?

A. No, sir.

Q. Were you re-appointed city attorney at Saginaw city?

A. No, sir.

Q. Were you nominated as city attorney by Mayor Hill during the latter part of his administration as Mayor of Saginaw City?

A. He nominated me.

Q. You were nominated, but were you elected by the council?

A. No, sir.

Q. Was Mr. Fellows a member of the council at that time?

A. Yes, sir.

Q. Was Mr. Shackleton, the present Mayor of Saginaw City, a member of the council at that time?

A. Yes, sir; may I explain?

Q. When I want you to. Did you have any trouble about your confirmation?

A. No, sir.

Q. Did you make any effort in connection with your confirmation with the board of aldermen?

A. No, sir; I never asked an alderman nor any party to nominate or vote for me in my life.

Q. Was any one nominated after the council rejected your nomination by Mayor Hill?

A. No, sir.

Q. Did you still hold the office of city attorney?

A. I did.

Q. Who was your successor as city attorney.

A. Frank E. Emerick.

Q. Frank E. Emerick is the present incumbent of that office?

A. Yes, sir.

Q. Who sent his name in; have you means of knowing?

A. I was not present, but it was since Mayor Shackleton was mayor.

Q. When was that?

A. Sometime in April; it was since the spring election.

Q. Have you any means of knowing how Mr. Shackelton and Mr. Fellows voted on your confirmation?

A. I don't remember. I cared so little about it that I paid no attention to it.

Mr. Holden—Tell what was said.

A. Mr. Dakin was the first one. He said he would take some sour wine. I think I was the next. I said I would take some whiskey. Mr. Crowley said he would take some whiskey and Mr. Fellows took whiskey. The landlord remarked, "Three whiskies and one sour wine," and went away and brought them in. That was all the liquor that was used.

Q. Did you have any subsequent talk with Mr. Dakin?

A. I do not now recall that I had any further talk.

Conductor Diekema—I now desire to offer this roll-call in evidence and have it marked as an exhibit in this case.

Judge Van Zile—I object to the introduction of this list upon the ground that there is a variance between the proof and the allegation in these specific articles. If there is any specific article that is here charged against this man Dakin under which this could possibly be admitted it is the third, and the allegation in this third specific article is that on the 19th day of April he made a list of names of certain members of the said House of Representatives of the State of Michigan, together with the amount of money necessary to procure evidence and influence of each of said members, etc., setting out the list as follows: S. Baker, \$5, etc. The piece of proof that they undertake to introduce under that specific article is simply a list of printed names that was never made by Dakin. There is no pretense that he made them, but some check-marks opposite some printed names.

I do not know how far we are to be governed by the rules that would govern in a court of justice, but certainly that piece of proof could not possibly be admitted in any court of justice under such a charge as that. Therefore, I say it is a variance, and it is very apparent: First, this does not prove, nor is it pretended that Mr. Dakin made any list. He simply checked opposite names that were already printed in a list; second, there is not any mark of dollars nor anything to indicate what the figures mean, whereas in the specific articles they charge that he made a list with the amount of dollars opposite each name, and that he made the list. I say that is a variance, and these gentlemen ought to charge what they propose to prove or else they should not be permitted to prove it.

Mr. Conductor Diekema—Mr. Speaker, in the first place I suppose that no gentleman would see any difference between making a list originally and writing out the names and making figures opposite names that were already printed. There certainly can be no distinction there whatever. A list of names is just the same a list of names whether I write or mark a figure opposite the name or whether I write the figure upon a printed list. So much for the first objection made by the gentleman. The second objection simply is that these figures although corresponding have no dollar mark before them. Mr. Speaker, we have proved by the gentleman that these figures represented dollars; that he has stated that when twenty-five was written opposite Mr. Rumsey's he said it would take at least twenty-five dollars.

Mr. Dodge—What witness do you refer to?

Mr. Conductor Diekema—To Mr. Eaton. He has sworn that Dakin said

it would take at least twenty-five dollars to purchase Rumsey, and the whole matter when footed up amounts to \$125, and no other calculation than to figure these figures as representing dollars will make it foot \$125. It seems to me the objection is very trivial and not well taken.

Mr. Van Zile—That is a very handsome way no doubt of disposing of the objection; that is very trivial. The list of names that is introduced is a list of all the members of this House. The list of names that is charged is a list of some twelve names. The proof is that we did not make the list, nor is it pretended that we made the list. We merely checked over a list that was already made. The specific charges are, that in that list that they proposed to introduce here are figures and dollar marks. The list that they introduce has nothing of the kind. By the sixth rule that this honorable body has adopted for the trial of this case, "All the rules, legal and usual, governing cases of law in courts," shall govern this case.

The Speaker—The chair is of the opinion that the testimony had better be received.

The witness—I wish to make one correction. In reply to a question whether I had any further conversation with Mr. Dakin, I did not recall the conversation which was had at which I was present in the Speaker's room on the following day, in the presence of fifteen of these gentlemen—if that was intended to be covered.

Mr. Conductor Diekema—I did not intend to cover that.

CROSS-EXAMINATION.

By Mr. Dodge:

Q. How long have you been practicing law?

A. Something over 20 years.

Q. You are how old?

A. Fifty-one years.

Q. What official positions have you held?

A. The first office I ever held was a member of the House of Representatives of the State of New Hampshire in the year 1860.

Q. And you held that for one term?

A. One term.

Q. Do you say that you do not know how they voted?

A. I think they both voted against my confirmation.

Q. Don't you know it without any guess work or thought about it?

A. Yes, sir.

Q. Why didn't you answer the question when I asked you before?

A. I did not recall the fact.

Q. You have just recalled it?

A. Yes, sir.

Q. What was the salary of city attorney of Saginaw city during your administration?

A. Five hundred dollars a year.

Q. And you did not regard it as worth seeking a re-nomination or re-election to that office, did you?

A. No, sir.

Q. How long did you hold the office after the council had rejected your nomination, or refused to confirm your nomination?

A. Until my successor was appointed and qualified.

Q. How long was that?

A. About a month, from the first of March to the first of April, it was a month and nine or eleven days.

Q. Since then Mr. Shackleton has become the mayor ?

A. Yes, sir.

Q. When was he inaugurated mayor ?

A. Immediately after election. I think about the 9th or 7th of April.

Q. By what party ?

A. The Democratic party.

Q. What party are you a member of ?

A. The Democratic party.

Q. And have been all your lifetime ?

A. Yes, sir.

Q. How many political parties are there in the Saginaw valley to your knowledge ?

A. I think there were at least four in the field at the late election.

Q. What are they ?

A. There was a democratic ticket, a republican ticket, a union labor ticket, a prohibition ticket and a citizens' ticket—there were five tickets.

Q. How long have you been interested in the amendments of the city charter that have been before the Legislature ?

A. I was one of a committee.

Q. Answer the question, please.

A. About six months.

Q. What reason did you have for interesting yourself in the city charter ?

A. I was one of a committee appointed for the revision of the charter.

Q. Mayor Hill was chairman of the committee ?

A. Yes, sir.

Q. Who drafted the charter ?

A. Different parts of it were drafted by different members of the committee. I drafted that part of it which pertains to special assessments, street openings and some other titles.

Q. Can you state what amendments the city of Saginaw was desirous of having the Legislature make in its city charter ?

A. Most particularly those with reference to special assessments and street opening; also making the city attorney a member of the board of supervisors. Those were the prominent points that were called to mind at the time the committee was appointed.

Q. It was finally prepared and sent to Lansing was it not ?

A. It was.

Q. When did you first visit Lansing in the interest of the city charter ?

A. About the latter part or middle of March, I should say.

Q. The middle of last March ?

A. Yes, sir.

Q. How long did you remain here ?

A. I think I went home the same day.

Q. Did you come down here then in your official capacity for the city, or did you come down here then, let me ask, as a private citizen ?

A. I came at the request of Mayor Hill and the controller of the city.

Q. Who defrayed your expenses ?

A. The city of Saginaw. That is, after we had been down four or five times a bill was made out for the personal expenses of each one and was

called to my attention, and my expenses amongst others were paid by the council—\$15.50 for four trips.

Q. That covered your entire expenses for the four trips?

A. My entire charges and expenses for the four trips.

Q. What was the arrangement made with you when you came down here in behalf of this committee or of the mayor regarding your expenses?

A. Nothing was said.

Q. Did you have any assurance from any one that your expenses would be paid?

A. No, sir.

Q. You took that responsibility?

A. Yes, sir.

Q. For what reason?

A. I never in my life asked who was going to pay me for my necessary expenses in the discharge of an official duty that I recall.

Q. Then you came in an official capacity?

A. I understood that being city attorney, when called upon by the mayor and controller to assist them in any work, that it was an official duty for me to attend to it.

Q. You came down here you say and the four trips cost you something over \$15.00?

A. \$15.50.

Q. Did you present an itemized statement of your expenditures for those four trips to the mayor?

A. No, sir.

Q. Can you tell us what those expenditures consisted of? The expenditures consisted of money probably, but what for—for what purpose?

A. The railroad fare from Saginaw here and return is at the present time \$3.35. I think it varied a little at that time. The rate I don't recall. Then the hotel bills—I stopped at the Hudson House, and I think they charged us two dollars a day, or at that rate.

Q. How many days did you stop at the Hudson House?

A. I suppose that I was there altogether may be three or four days. Some days when we came down in the morning and went back at night, we only stopped there at dinner.

Q. Before your term of office expired, how many times did I understand you to say you had been down here in the interest of the city charter?

A. I should think three or four times.

Q. And how many times since? Correct yourself, if you desire, in that regard.

A. Perhaps, strictly speaking, the year for which I was appointed would expire the 1st of March. Up to the 1st of March I don't think I had been down here at all. I think it was sometime in March when I came down first, so that perhaps it is correct to say that before the year expired had not been here at all.

Q. You were still acting in an official capacity?

A. Yes, sir.

Q. How many times were there during the time that you held your official position that you were down here in the interest of the city charter?

A. I think there were four trips for which the city allowed the expenses of the committee, and I believe we were here once or twice since.

Q. Then you have been down here altogether in the interest of the city charter five or six times ?

A. Eight times, I believe.

Q. Now if you were down four times during your official position you have been down here four times since ?

A. I presume so.

Q. Does that include the present time ?

A. No, sir.

Q. You have been down here nine times; eight times with reference to the charter and once since, on this occasion, is that correct ?

A. Yes, sir; I have been here that number of times this winter.

Q. More than that ?

A. I don't recall that I have been here more than that.

Q. For what purpose did you come down here after your term of office had expired; was it with reference to this charter ?

A. Yes, sir.

Q. At whose solicitation, if anybody's, did you come then ?

A. At the personal solicitation of the controller.

Q. Who was he ?

A. Mr. William Binder.

Q. The first time you came at his solicitation ?

A. No, sir.

Q. The first time after your official position had expired ?

A. Yes, sir.

Q. And then the next time, which would be the sixth trip down here, at whose instance did you come then ?

A. No one's except the chairman of the committee, Col. C. D. Little ?

Q. What interest had Col. C. D. Little in the city charter ?

A. He was appointed by the common council after we had come to an understanding about matters so that it was understood.

Q. Who had come to an understanding ?

A. After we had come to an understanding between the committee that had been down here and Representative Dakin, and some parties that he represented, or that were jointly represented with him.

Q. Who were the parties that were jointly represented with him that you speak of ?

A. They were gentlemen who represented the Labor Union party of Saginaw.

Q. How many of them to your knowledge were interested in this matter ?

A. I remember seeing two of the gentlemen here, Mr. Joseph Saunders and Mr. James Roach, of Saginaw.

Q. Any others ?

A. I do not now recall seeing others.

Q. Of whom did your committee consist aside from yourself and Mr. Little, its chairman ?

A. Mr. Little was appointed by a resolution to take charge of the looking after it, with instructions to invite such gentlemen to assist him as he saw fit.

Q. That resolution was passed by whom ?

A. By the common council.

Q. Did Mr. Little employ you then ?

A. Mr. Little came to my office and urged me to come down.

Q. When was that ?

A. It was since the spring election.

Q. This last year?

A. Yea, sir; since the April election.

Q. Can you give us about the date?

A. Oh, I should think it was within a day or two after election.

Q. The election was on the 4th day of April, was it not?

A. Yes, sir.

Q. And it was, you think, the 5th or 6th of April?

A. About that time.

Q. That was the sixth trip on which you had been down here, was it?

A. I cannot say.

Q. Who interested you in coming down here on the occasion of your sixth visit here?

A. I cannot specifically call those visits the sixth or other visits, because I have no memorandum of it.

Q. You say on the occasion of your fifth visit you came down here at the solicitation of the controller, Mr. Binder. Now can you tell the Speaker and the House at whose solicitation you came down on the next trip?

A. I think it was with reference to the same trip that Mr. Binder saw me that Mr. Little also came to the office and saw me. I explained to them that my duties as city attorney had terminated and that I thought they ought to invite the present city attorney in my place.

Q. You are a lawyer, are you not?

A. Yes, sir.

Q. Don't you know that I did not ask you anything of that kind?

A. I am trying to answer your question.

Mr. Dodge—Will the reporter read the question and the answer?

The official reporter read as follows:

“Q. You say on the occasion of your fifth visit you came down here at the solicitation of the controller, Mr. Binder. Now can you tell the Speaker and the House at whose solicitation you came down on the next trip.

A. I think it was with reference to the same trip that Mr. Binder saw me that Mr. Little also came to the office and saw me. I explained to them that my duties as city attorney had terminated and that I thought they ought to invite the present city attorney in my place.”

Q. That is correct is it?

A. Yes, sir.

Q. You came here then on the sixth trip at the solicitation of Mr. Little and the city controller?

A. Whether it was the sixth trip or some other one I can not say.

Q. That is the one we are talking about. I have asked you about the 5th.

A. I think it was at the instance of the city controller.

Q. You specified the 5th trip. The 6th would be the next one?

A. I don't remember the 6th trip, nor any other trip by number.

Q. At whose instance did you come down here on the last visit to Lansing, the 8th trip. That would be the last, would it not?

A. No arrangement had been made except the hearing was postponed that we came down to attend to. On the day to which it was postponed—

Q. Let me ask you, you are now talking about the last trip down?

A. No, sir.

Q. That is what I am asking you about. I asked you at whose solicitation you came down on the occasion of your last trip.

A. At the solicitation of Mr. Little and Mr. Binder, at the time they came to see me previous to that.

Q. Previous to what?

A. Previous to that day that we came.

Q. On your last visit here?

A. No, sir. It might have been the fifth or sixth time we came here.

Q. Will you be kind enough to state at whose instance you came the last time?

A. At the instance of Mr. Binder and Mr. Little as I have stated.

Q. Now, will you give the House to understand at whose instance you made the trip before that?

A. At their instance, as I have explained, at the time they came to me at my office.

Q. On the occasion before that; the same gentlemen?

A. They were never to see me but once.

Q. But you say you came down here on these several occasions at their instance?

A. If you will allow me to explain I will give my understanding of how I came at their request.

Q. I would be pleased to have you.

A. Mr. Binder came to my office; requested me to come down; said he had a dispatch I think from Dakin to send down somebody to look after it. I made the objection that my term of office had expired, and he ought to get the present city attorney to come.

Q. When was this, please?

A. This was sometime after election; sometime after the appointment of Mr. Emerick, I believe. In fact, I know it was. He said that he had seen Governor Jerome and requested him to come; that Governor Jerome directed him to come and see me as the party who had assisted in the preparation of the charter, and the only person who knew the details and merits of it, and insisted upon my coming, and he came and urged me to come. Mr. Little came on that same occasion and had an interview with me. I made the same objection to him. He stated to me that Mayor Hill, who was chairman of the committee that prepared it, was now absent from the city; that Mr. Dickson, the controller, who aided in preparing it, was now absent from the city, and I was the only one remaining who had taken an active, working part in the drafting and preparing of the charter, and really knew the merits of it, or the provisions of it.

Q. And for that reason he wanted you to come down here?

A. Yes, sir.

Q. Whom did he tell you was to pay your expenses?

A. Nothing whatever was said about expenses or compensation.

Q. Have you at any time received any pay by way of compensation for coming down here since the paying of the fifteen dollars and some cents you first spoke about?

A. No, sir.

Q. You have been defraying your own expenses since?

A. Yes, sir.

Q. With no promise of pay or future reward?

A. Yes, sir.

Q. What promise of pay or future reward have you had?

A. I answered your question in the affirmative. I meant to say that it is

without any express promise from any person that I should be rewarded for it.

Q. Simply an implied understanding that you will receive your pay?

A. I expect that the city will defray the money that I have disbursed in expenses.

Q. How far do you think the city will pay your expenses? How much have they been? Have you any means of knowing?

A. My judgment is that up to the present time I have expended perhaps fifteen or twenty dollars in coming and going; perhaps not more than twelve or fifteen.

Q. On your several trips down here have you met various members of the Legislature?

A. I have.

Q. Have you undertaken to become acquainted with them?

A. No, sir; except as I have casually been introduced to them the last three or four times that I have been here.

Q. Have you formed acquaintance in the present Legislature among the members?

A. I have.

Q. How many of them, perhaps?

A. Perhaps six or ten.

Q. Will you be kind enough to state their names.

A. I don't know that I can.

Q. Do the best you can.

A. I might by referring to the roll call.

Q. (Handing witness a roll call.) Here is a roll call.

A. I remember Mr. Green, of Bay City. I have been introduced to quite a number of the members; I suppose—

Q. (Interrupting). Six or ten?

A. I suppose I have been introduced to thirty or forty members, most of whom I have never spoken to since.

Q. You have become acquainted with six or ten, I understood you to say?

A. I believe so.

Q. Mr. Green is the first?

A. Yes, sir.

Q. When did you first become acquainted with Mr. Green?

A. The first time I was here. In fact I knew him before. He lives at Bay City.

Q. Didn't you know him before?

A. I should not have recognized him.

Q. He is somewhat disfigured, but you would not have recognized him?

A. I don't think I should.

Q. Don't you know that you did know him for years in the Saginaw valley?

A. No, sir.

Q. Do you say you did not know him?

A. I say I don't recall having any personal acquaintance with him until I came here.

Q. Don't you know that Mr. Green has been engaged in the lumber business for years in the Saginaw valley and formerly resided in Saginaw?

A. I think his name is familiar to me, but I don't think I had a personal acquaintance with him before I met him here.

Q. Who introduced you to Mr. Green here?

A. I met him at the Eichele House. I think Senator Wisner introduced us. Either Senator Wisner or perhaps Mr. Dakin. I stopped there the first night I was here and found him stopping there.

Q. You stopped at the Eichele House the first night you were here?

A. Yes, sir.

Q. Then on your several visits here you have not gone back on the evening of the morning you came into the city?

A. I stopped over night sometimes.

Q. Is that true?

A. Yes, sir.

Q. Now go on. You have mentioned Mr. Green, and you say there are several other members whom you have met.

A. The members of the committee on municipal corporations I have met every time I have been here; have become well enough acquainted with them so that I think I could call them by name; also the committee on labor interests, the most of them, who have been present the several times that we have been here; I have met them.

Q. Have you talked with those several gentlemen on each occasion you have been here with reference to your city charter?

A. No, sir.

Q. What I want to know is this—To whom have you gone personally with reference to your city charter, when you have been down here on these several visits?

A. Aside from the two committees?

Q. I want you now to give the individual members; either of the committees of the House?

A. I have not had a word of conversation, that I now recall, with the members of either of these two committees, except when those committees were in session—that is, with reference to our charter.

Q. Have you talked with anyone not a member of those committees with reference to your city charter, and if so, to whom?

A. I talked with Senator Wisner about it.

Q. Was he a member of the House.

A. No, sir; of the Senate.

Q. We are talking about members of the House.

A. I have had conversation with several of the members that I have stated.

Q. Now, give us some of the individuals—their names.

A. Mr. McGregor.

Q. Who else?

A. Mr. Snow.

Q. Who else?

A. Mr. Jerome, and I had a conversation——

Q. Never mind Mr. Jerome. Just members whom you had a conversation with.

A. I cannot say that he mentioned it, but Mr. Jerome——

Q. Never mind. I want to know whom you had a conversation with. While you are thinking about that, what did you have to say to Mr. Snow. He is from Saginaw?

A. Yes, sir.

Q. What did you have to say with him?

A. I discussed it with him coming down on the cars one time.

Q. You came down here to Lansing to see him?

A. No, I came down here to go before the committee on municipal corporations.

Q. How long ago was it that you had a conversation with Snow?

A. On one of the several occasions when I was coming down.

Q. How low ago, probably?

A. Probably a month ago.

Q. McGregor is from Saginaw county, too?

A. Yes, sir.

Q. What did you have to say to him?

A. I spoke to him about our charter. I asked him if there was any doubt in his mind that whatever report was made by the committee would be adopted by the House without any difficulty. He said there was no doubt whatever.

Q. When was that?

A. That was a month ago. That was the second time I was down here.

Q. What other members had you talked with aside from McGregor and Snow from your county?

A. I cannot recall the names of others. But very few.

Q. Can you point out a single member here?

A. No, sir, I cannot.

Q. You don't remember the name of a single individual and you cannot see one in your presence that you had a conversation with in reference to the city charter?

A. No, sir.

Q. Are there any absent from the House that you had a conversation with?

A. Not that I would say to-day that I had a conversation with.

Q. How many times have you gone before the several committees with reference to your charter?

A. Every time I have been here.

Q. Had a meeting and a hearing?

A. No, for upon one pretext or another the hearing has been postponed from the first time we came here until we had a final hearing on the morning of the 20th.

Q. The first hearing you had was on the morning of the 20th of April, and you have been here six or seven times before that for the purpose of getting a hearing. Is that correct?

A. Yes, sir.

Q. You say upon one pretext or another. What were those pretexts?

A. When I first came down we had learned that the bill had been introduced into this House.

Q. Who had learned that?

A. I had learned it myself. I will say that previous to that I had seen Mr. Dakin and requested him to give notice of the introduction of a bill to amend or revise the charter of the city of Saginaw. He said he would do it. Afterwards I called his attention to it again and he said he had done it. At the same time I told him—

Q. Can you state about when this was?

A. This was about the 19th of February. I told him that the charter was prepared and the controller would give it to him to bring down. He said he would bring it down and introduce it.

Q. What you wanted him to do at that time was to introduce a skeleton bill?

A. No; I desired that he would introduce a bill which we had been three months preparing, and which was then perfect and complete, to revise the charter of the city of Saginaw.

Q. He had the bill in his possession then?

A. No; the bill was in the hands of the controller and the controller had been instructed to deliver it to him.

Q. You did not expect him to introduce the bill until he received it?

A. No, sir. He was in the city of Saginaw and I spoke to him about going to the controller's office then to get the bill and he said he would get it.

Q. Has that anything to do with the pretexts we were speaking about, postponing this from time to time?

A. Yes, sir.

Q. Please explain it then.

A. A few days after that I saw in the Legislative proceedings that the bill to revise the charter of the city of Saginaw had been introduced, and on motion of Mr. Dakin had been laid on the table. I had requested him to have the bill referred to the proper committee so that we might appear before that committee and have a hearing, as we knew there would be opposition to at least two features of that bill by neighboring corporations.

Q. Whom do you mean by neighboring corporations?

A. The city of East Saginaw, a city across the river, and the township of Carrolton, which joins Saginaw on the north.

Q. Did you think there would be any opposition from any other source?

A. No, sir. After the bill was laid upon the table the next reference that I saw in regard to it was that the bill to revise the charter of the city of Saginaw had passed the House.

Q. You have explained pretext No. 1. Now is this pretext No. 2?

A. I will briefly explain that.

Q. Please.

A. Mr. Dakin was interviewed with reference to this bill. We also saw from the record that the bill had gone to the Senate and had been referred to the committee on cities and villages. We learned from Representative Linton of East Saginaw that the bill—

Q. You learned from him, or somebody else learned from him?

A. Somebody else learned from him. The city officers of the city of Saginaw—

Q. That is hearsay. Do not give that.

A. I will say that we discovered—

Q. Who discovered?

A. I discovered myself that the bill which had passed the House was not the bill which we had prepared.

Q. What bill was it that had passed the House?

A. It was a bill of amendments to the charter of the city of Saginaw that had been prepared by the labor union men at Saginaw.

Q. And that one you were opposed to?

A. That we were opposed to.

Q. What has that got to do with your coming down here and the delay of your being given a hearing before these committees?

A. I am just coming to that. This bill being referred to the committee on cities and villages of the Senate, a time was appointed for a hearing. Several of us came down. I did not come that time. That was the first time. They came home and no hearing was had. I do not know what the difficulty was,

but a hearing had been appointed for a few days subsequent to that. We arranged our business to come down, but just before—

Q. How do you know a hearing had been arranged for you to come down again?

A. It was so reported.

Q. You know that is not proper testimony to give, as a lawyer?

A. No, sir.

Q. You don't know that what they said to you about their arrangements is not proper testimony for you to give on the stand, as a lawyer? Do you say you do not?

A. I understand it is proper testimony.

Mr. Conductor Snow—I object to the counsel talking to the witness in that manner. If he has any questions, proceed.

The Speaker—Proceed with proper cross-examination.

Mr. Dodge—I want to get at the facts, and do not want to become confused more than necessary by the answers.

Q. Will you go on and state what those pretexts are that you attempted to tell us about a short time ago?

A. On the day we had arranged to come down here we had received a notice from the chairman of the committee on cities and villages of the Senate that at the request of Mr. Dakin the hearing had been postponed, and giving us notice of the time it had been postponed to. On the day to which it had been postponed we came down again. Mr. Dakin, at whose request it had been postponed, that we might appear before that committee, was absent at Grand Rapids. On his return—

Q. Perhaps we can get along without some of that explanation by calling your attention to the fact, did you deem it necessary to come down to make arrangements with members of the committee or its chairman in order to have a hearing?

A. No, sir.

Q. I will ask you, after you had been here several times, why was it that you did not pursue some other method?

A. We came by appointment.

Q. Appointment with whom?

A. With the committee.

Q. Do I understand you to say that you had an appointment or your committee did, on several different occasions, and that you came here in pursuance of that appointment and then was unable to have a meeting?

A. Yes, sir.

Q. With whom did you have that understanding?

A. With the committee on cities and villages of the Senate; and on the day on which we appeared before them to have the meeting we found the first thing on the morning of that day Mr. Dakin had had a resolution passed in this House recalling that bill from the Senate, so that when we went before the Senate committee there was no measure pending before them upon which we could be heard.

Q. You did not desire to be heard if there was not any bill, if it had been recalled to the House?

A. We came down by appointment to have a hearing before that committee.

Q. And you wanted a hearing?

A. Yes, sir.

Q. Whether there was any bill there for their consideration or not?

A. The bill was before that committee when we were here.

Q. It had been recalled, and it was back in the House, was it not?

A. Understand me—

Q. I think I do.

A. The first time we came down the hearing was postponed, and on the day to which it was postponed we came down from Saginaw again. When we got here we found that that very morning the bill had been recalled from the Senate, and there was no bill pending there, consequently we could not have a hearing which we had come down for the purpose of having.

Q. You did not want to have a hearing if there was no bill for consideration; that is correct, is it not?

A. After the bill was recalled we did not want a hearing there.

Q. After that bill had gotten back into the House, you wanted a hearing before the House committee?

A. Yes, sir.

Q. Did you make arrangements with some members of that committee to have a hearing?

A. We did.

Q. With whom?

Mr. Conductor Snow—I do not desire to interrupt these proceedings, but I think it is high time this sort of cross-examination were stopped, for the simple reason that it is irrelevant and incompetent and does not pertain to the issue here.

Mr. Dodge—That objection is very broad and possibly may be well taken, but if your honor please, and gentlemen of the House, the purpose of this testimony is very obvious to me and I think is plain to the members of this House. What we want to show by this witness is that he was specially interested in this city charter, and just how he came to be interested is something that we are anxious to ascertain. He has told us about the time he has spent, about his appointments on various occasions and yet he says that the only pay he has received for his services is \$15 and something. We want to show that he was down here not so much in the interest of the city charter of Saginaw city, but that he was down here in the interest of pursuing this man Dakin, and we expect the proof will show before we get through with this hearing that this man is after Dakin now, first, last and all the time, and that he has not been down here once in good faith for the city charter. That is the purpose of this testimony; that is the purpose of this cross-examination.

The Speaker—The Chair is of the opinion that there is no objection to such testimony, but it does not see the relevancy of the questions you are asking.

Mr. Dodge—I do not desire to take up the time unnecessarily, and I would not rest the responsibility of this course on my own judgment, did I not consult with my associates with reference to it. I think this is material testimony. I think it is testimony showing the real, true intent and purpose of this man Frederic L. Eaton. He is the man most prominent here to-day and will be throughout this trial, and if we can show to the members of the House—

Mr. Conductor Herrington—I desire to interrupt the gentleman. The Speaker has ruled against him and it seems to me it is improper and not courteous to discuss the matter after we have had a ruling.

Mr. Dodge—I did not mean to be discourteous to the Chair. It is far from my thoughts, but I did not understand that the Chair had ruled that this is improper testimony.

The Speaker—The Chair ruled that the object which you sought was proper enough, but that the question did not seem to lead to that object.

Mr. Dodge—That is possibly true.

The Speaker—It would be more proper to confine questions to that particular object.

Mr. Dodge—I shall endeavor to do so.

Q. You have explained your several trips down here, and now we will come to the final trip, and that was the one previous to this, with reference to the city charter.

A. On the 19th of April?

Q. You came here on that occasion at the instance of Mr. Little and other gentlemen as a member of that committee?

A. Yes, sir.

Q. And when you first arrived in the city of Lansing, you went where?

A. Came directly to the Capitol.

Q. To whom did you go with reference to the city charter, if any one?

A. I saw no member of this body in reference to it until after dinner.

Q. On what day?

A. On the 19th. I came up for the purpose of seeing the chairmen of the two committees.

Q. You say that you saw no one with reference to it until after dinner?

A. No member of this body.

Q. I understood you to say on your direct examination that you saw Mr. Dakin in the morning. Am I correct?

A. That is true.

Q. Did your conversation in the morning which you had with Mr. Dakin relate to the city charter?

A. It did.

Q. Then you were mistaken when you said you had seen nobody a member of this House?

A. My mind was not upon the interview I had with Mr. Dakin.

Q. You had a conversation with Mr. Dakin that morning?

A. I had.

Q. The first conversation took place about 10:30; am I correct?

A. I believe about that time.

Q. What conversation did you have with Mr. Dakin at about 10:30.

A. I met him in the lower corridor of this House; Jay Smith of Saginaw was with me.

Q. Who is J. Smith?

A. He is an old resident of Saginaw City, one of the leading druggists of the town.

Q. He was one of the committee?

A. I believe he was here partly —

Q. Was he one of the committee; you know whether he was or not?

A. I do not remember.

Q. Don't you know he was not one of the committee?

A. I don't know whether Mr. Little under the resolution adopted by the council had invited him to come here or not, but I believe he had.

Q. Had he been here before in the interest of the city charter?

A. He had on one occasion.

Q. You think he was here in pursuance of an invitation by Mr. Little?

A. I think so.

Q. State what took place with Mr. Dakin that morning.

A. We met Mr. Dakin and Mr. Fellows, spoke to them and shook hands with both of them. I asked Mr. Dakin what the situation was with reference to our charter. He said there would be nothing done to-day, or at first he remarked "There will be nothing done, there is no use in your going up, for there will be nothing done." I said I did not expect there would be anything done this morning because the hour was appointed for this afternoon. He responded "There will be nothing done until Mr. Shackleton returns from Saginaw."

Q. Then what took place? Did Mr. Dakin make any reply?

A. I asked him what Mr. Shackleton had gone to Saginaw for, or something of that kind. He turned back to me—he had stepped one or two steps towards the door—he turned back and said that he had seen, or sent, for Mr. Shackleton to come down here and he was expected to bring some money to put this charter through the House.

Q. Now, this is what Mr. Dakin said at the first meeting on the 19th of April? And who was present and heard him say that?

A. Giles Fellows was there.

Q. State whether or not Mr. Fellows and Mr. Smith heard Mr. Dakin say that Mr. Shackleton had gone to East Saginaw and would either bring down some money or telegraph some.

A. I don't think in that interview he said anything about his telegraphing money.

Q. Leaving out the telegraphing, did he say in the presence of these gentlemen and within their hearing that he would send some money down here in the interest of this charter?

A. He did not.

Q. State just what he said?

A. He said that he came down and was expected to bring some money to put that charter through the House with, but did not bring any except seven dollars, and he gave that to them and they have used it, but that didn't amount to anything, and he had gone back to Saginaw to get some more money and there would not be anything done until he got back.

Q. Mr. Dakin made this statement to you in the presence and hearing of Mr. Fellows and Mr. Smith?

A. Yes, sir.

Q. And they were standing where there isn't any doubt but what they could have heard what he said?

A. I think there is no doubt of it.

Q. What reply did you make him about that?

A. I asked him what he wanted of the money, if there were any expenses to pay. He hesitated a little, and I think his reply to that was "You know what I mean."

Q. Did you know what he meant? Did you think you knew?

A. I believe now that I know what he meant.

Q. Did you at that time know it?

A. No, sir.

Q. You were innocent of what he meant at that time?

A. Yes, sir.

Q. You didn't have any idea.

A. I didn't have any idea. It did not occur to me that anybody was asking or could be asking for money to use in any such way as he afterwards suggested; that did not occur to me.

Q. What did you think he meant when he said that to you?

A. I didn't know but there might be some expenses that had been incurred or something of that kind.

Q. What expenses did you think there were that might have been incurred?

A. I knew he had some friends down here who were in consultation with him, had been down here at least a couple of times, and I didn't know but there were some expenses they wanted to—in fact I didn't stop to think what expenses there might be.

Q. Did it strike you as anything strange when he told you that he had received seven dollars, and that it didn't amount to anything?

A. It did not when he said that.

Q. And you paid no more attention to it?

A. If that had been all there was to it I should have thought nothing about it, because with the four or five persons that had been here once or twice, I should not have been surprised at an expenditure of perhaps twenty or thirty dollars.

Q. What do you say were the one or two occasions when you were led to believe that twenty-five or thirty dollars might have been expended?

A. It occurs to me that I have seen of the gentlemen who represent the Labor Union party, it may be that I have seen three, or four, or five of them down here at least two or three times when I have been here, and their expenses in coming and going would amount to at least five or six dollars apiece.

Q. Did you think in that connection that Mayor Shackelton was putting up seven dollars and going back for more money?

A. I didn't think anything about it at all.

Q. Won't you please explain how it is that you thought this money was being devoted to that purpose?

A. I didn't think anything of it but I supposed there might be some expenses, and there had been some talk of coming to an understanding.

Q. What was this expense for?

A. Hotel bill, and railroad fare, and the like of that.

Q. "And the like of that," what does that mean? Do you mean for drinks?

A. Drinks and cigars and all such things as are usually used upon such occasions?

Q. As are usually appropriated upon such occasions?

A. Yes, sir.

A. Have you ever seen down here at Lansing, drinks or cigars appropriated for occasions of that kind?

A. Amongst the deputation?

Q. With anyone?

A. I think amongst the Saginaw deputation I have seen some cigars used and some drinks used.

Q. Have you appropriated them yourself?

A. I have.

Q. Whereabouts have you seen those things done?

A. At the Hudson House and at Eichle's the first time I stopped there.

Q. Where else?

A. I don't recollect any other place except on the occasion I have alluded to at the Windsor saloon.

Q. How many drinks were taken there that day by that party?

A. Only one.

Q. How many drinks already had you taken that day?

A. I think that was the first one.

Q. And the last one?

A. I won't say the last; but I don't recall any other.

Q. As we have touched upon that subject, pardon me if I ask if you are in the habit of drinking liquor?

A. No.

Q. Except when you come to the Capital?

A. I will not say that. I am not a radical temperance man.

Mr. Lakey—I object to that kind of question. I would like to ask the chair to rule upon it.

Mr. Dodge—This is asked in the very best of good faith, and I took pains to ask the gentleman's pardon. We had been touching upon that subject and I am very glad I asked the question because the witness turns out to be a better man in that regard than I had supposed him to be. I asked the question in good faith and not for the purpose of making sport.

Mr. Dodge—I want to simply show whether upon these occasions down here he has been in the habit of drinking, and when he has had these interviews with Mr. Dakin on these occasions if he has not been somewhat under the influence of liquor. If he has not certainly the House will be glad to know it, and if he has they certainly ought to know it in the interest of Mr. Dakin.

The Speaker—The chair is of opinion that the question whether he was under the influence of liquor at the time would be proper.

Mr. Dodge—Suppose it should turn out from the evidence in this case that Mr. Eaton was a man in the habit of using intoxicating liquors, or that he was an habitual drunkard, or an habitual drinker.

Mr. Conductor Diekema—If the gentleman will pardon me, since it has been partially gone into, it is the desire of the committee that they shall draw out this whole liquor question at this time, both as to his habits in Saginaw as well as in Lansing.

The Speaker—The chair has no objection to this testimony going in. My ruling was simply with a view of shortening the proceedings, not deeming the testimony relevant in his case.

Q. If you desire some water you will find some in that pitcher before you.

A. I very seldom use it.

Q. You have stated that on that occasion there was only one round of liquor ordered by this gathering?

A. Yes, sir.

Q. Do you know whether or not they had been drinking when you came in?

A. I do not.

Q. You have related the conversation that took place down at the Windsor restaurant, and you say that the Windsor restaurant, if you will allow me to correct you, is on Michigan and Capitol avenue. It's off the main street.

A. On the street leading down to the bridge?

Q. Yes.

A. Then I was mistaken.

Q. Then you meant on the corner of Washington and Michigan avenues ?

A. Yes, sir.

Q. And you went down to the restaurant and went in, and on the counter there were some candies and confectionery?

A. Yes, sir.

Q. And then do you mean that at the back part of that room there were some stalls in there ?

A. No, not in that room.

Q. You do not mean to say there were candies and confectionery in the room where the stalls were ?

A. No, sir.

Q. You were mistaken about that ?

A. No, sir; I did not so state.

Q. Did you state this morning that you went into a place where there were candies and confectionery on the counter?

A. I said that I did not observe particularly what was there, but I think there was a show-case with confectionery.

Q. You know that there is a restaurant this side of there?

A. No, sir, I never was in there.

Q. Have you ever been to the bakery and restaurant this side of the Windsor saloon?

A. No, sir; the only time I was ever in the Windsor saloon was upon that occasion.

Q. When you go back into the Windsor saloon are there stalls in there?

A. I think there were.

Q. You went into the one on the right or left?

A. On the right.

Q. That is provided with curtains ?

A. Yes, sir.

Q. And the curtain slides so that you are in there out of sight?

A. That is what it is there for.

Q. And there is where you went with Mr. Dakin and these other gentlemen?

A. Yes, sir.

Q. After you got there, how long was it before the drinks were brought in ?

A. I think, fifteen minutes.

Q. What conversation did you have on the corner of Michigan and Washington Avenues, before you went into this stall, with Mr. Dakin ?

A. I inquired of Mr. Dakin what had transpired with reference to our charter since I was here before.

Q. I understood you to say that this morning, but did not you make that inquiry when you first met him at 10:30—You met him first at 10:30 ?

A. Yes, sir.

Q. You had a talk about it and he told you what was necessary to be done, then, where did you go next ?

A. At the corner of Washington and Capitol avenue.

Q. Michigan avenue.

A. Yes, with that correction it would be at the corner of Michigan and Washington avenues. It is where the city national bank is.

Q. Then you were near this corner of Michigan and Washington avenue ?

A. That was the place.

Q. What time was this in the day ?

A. About 11 o'clock.

Q. About thirty-five or forty after you say you met him in the capitol ?

A. I should think so.

Q. You had a talk with him in the capitol about the city charter and as to what was necessary ?

A. Yes, sir.

Q. Then when you met him the next time it was there on the corner, and you asked him what the situation of the city charter was ?

A. No, sir.

Q. What did you ask him.

A. I asked him what had been done in the matter since I was here before. Mr. Shackleton and Mr. Fellows I had learned since I came here had been down here during the day before and they had been trading with reference to it.

Q. Trading ?

A. Yes, sir.

Q. Trading property ?

A. No, sir, they had been making a trade; they had been compromising so as to satisfy—

Q. Compromising what? Themselves or whom?

A. I understood that they had entered into a written agreement with the parties representing the opposition to our charter that certain concessions should be made with reference to expenditures or future taxation, and the payments of improvements recently made, and that then the opposition of Carrolton and East Saginaw parties would be withdrawn. I had heard this in a general way, and when I met them there my purpose was to ask what had been done by these gentlemen, which had all taken place since I was here before.

Q. You had come down here right from Saginaw where these gentlemen were?

A. Yes, sir.

Q. And you say you met Mr. Dakin at the capitol?

A. Yes, sir.

Q. You had a little talk with him there, but you didn't ask him what had been done other than by way of amendment, or agreed upon, or what compromise had been made?

A. Here in the capitol ?

Q. Yes.

A. No, sir.

Q. But when you met him down there on the corner as you say, you for the first time asked him the details ?

A. Yes, sir.

Q. Did he tell you them?

A. No, sir.

Q. What else took place there?

A. In response to that question Dakin alluded to the fact that Mayor Shackleton had gone to Saginaw to get some money and to have a consultation.

Q. How did he come to make reference to that subject again ?

A. I asked him the question, what had been done with reference to our charter since I was here before. Whether I mentioned Mayor Shackleton or

not I don't know. He immediately responded that Mr. Shackleton and Mr. Fellows came down yesterday, and that Mr. Shackleton had gone back to Saginaw with Representative Linton to have consultation with people there, and again alluded to the fact that he was going to bring down some money.

Q. And this he stated of his own volition without any question coming from you?

A. Yes, sir.

Q. He seemed to be talking that to you incidentally?

A. Yes, sir; it seemed so to me.

Q. And this was in the presence of these other men?

A. Yes, sir; and in the presence, I should say, of from 15 to 20 men who were coming and going within 30 feet of us.

Q. He didn't seem to take any pains to guard himself—he talked it right out?

A. Yes, with surprising freedom.

Q. To whom was it surprising?

A. To me.

Q. You were very much surprised at his talking on the corner?

A. Yes, sir.

Q. You began to comprehend better what he meant by that sort of talk than his other talk up in the capitol?

A. Yes, sir.

Q. Did you tell Dakin that you were surprised—did you manifest any surprise?

A. No, sir.

Q. What did you do?

A. I proceeded to see how far this talk about money had gone.

Q. That is what you proceeded at there on the corner?

A. No, sir, that is what I proceeded to do, but not on the corner.

Q. That is what you proceeded to do when you went down to the saloon?

A. Yes, sir.

Q. Did you say anything to Mr. Dakin or anyone else what you proposed to do?

A. No, sir.

Q. Didn't you on that occasion leave Mr. Dakin in the street and go back to the Lansing House?

A. No, sir.

Q. Did you leave them anywhere on the street and go away and return afterwards?

A. No, sir.

Q. But you went directly down to the saloon?

A. Yes, sir.

Q. And there proceeded to ascertain the fact of the business, what that meant?

A. Yes, sir.

Q. There is where this conversation about money really first struck you as something wrong?

A. No, sir.

Q. Where were you first impressed with the idea that there was something wrong and illegitimate about the question of money?

A. When I had the conversation with Mr. Dakin, when I first met him.

Q. Here in the capitol?

A. Yes, sir.

Q. Then you were impressed with the idea that there was something wrong?

A. I was impressed that there was something wrong.

Q. I understood you to say sometime ago when you testified that at that time you did not understand or did not believe that anything was wrong about it?

A. You misunderstood me.

Q. Possibly. Never mind then, I will not trouble you. You really thought when you first met Mr. Dakin here in the capitol that there was something wrong, did you?

A. Not when I first met him.

Q. Did you after you had had that conversation with him?

A. As he left me I thought something was wrong.

Q. What did you think was wrong about it?

A. I believe they were after some money.

Q. That who was after some money?

A. I thought Dakin and Fellows were after money.

Q. And who did you think was going to provide it for them?

A. At that time it did not occur to me.

Q. Did you think there was any impropriety in Mr. Fellows being after some money?

A. I did.

Q. What impropriety was there in Mr. Fellows trying to get same money? You would if you could, would you not?

A. Ordinarily there would be impropriety. Mr. Fellows, however, took me to one side as Mr. Dakin left and explained to me what he purposed to do with the money.

Q. What did Mr. Fellows tell you he purposed to do with the money?

Mr. Conductor Herrington—Was Mr. Dakin present?

A. No, sir.

Mr. Dodge—What did Mr. Fellows tell you he proposed to do with the money?

A. As Mr. Dakin left—

Q. That is not really responsive to my question. What did Mr. Fellows tell you he proposed to do with that money?

A. He told me that he proposed to see members, Grand Army members; that he had been at work with them yesterday; that he would go to one of them and talk with him and urge him to vote for our charter and tell him it would be a big feather in Mr. Dakin's cap if we could get that charter through, tell how interested he was in it and how great a favor it would be to him if they would support it, and that he had got to have some money to do that work with.

Q. Was he telling you what he would tell a member of the House, or was he telling this to you?

A. He was telling this to me, that he would spend money with them, and that he had spent about thirty dollars yesterday, last night, in that way.

Q. He told you that he had spent about thirty dollars in entertaining them? What, if anything wrong, did you think there was in that?

Mr. Conductor Herrington: I submit, Mr. Speaker, that this is incompetent. The question is whether Dakin is guilty of these charges. The opinion of this witness of a certain proceeding does not tend in any way to effect that.

Mr. Dodge: I trust my brother will not be technical about it. Let us ascertain all there is of it.

Mr. Conductor Herrington: We have let him go on with testimony which was entirely incompetent, just for the reason that we did not wish to be technical; but the members want to get through before the next legislature is elected, so that we can give place to them. I think it is time to call a halt.

The Speaker: The proper question would be as to what took place.

Mr. Dodge: I will amend my question in this way: What wrong did you think there was in what took place?

A. To what do you allude?

Q. What wrong did you think there was in what Mr. Fellows had said to you about the money that he was using, had used, or could use?

A. He made some allusions that led me to infer that he wanted this money to use directly with the members by giving the money to those members.

Q. He gave you to understand that, did he?

A. Yes, sir, by his talk.

Q. Just please state what language he used that gave you to understand that he wanted to corrupt directly the members of this Legislature.

A. He said that he was well acquainted with a good many Grand Army men, that he could get together with them in talking over old times, and they were most of them poor men like himself that had to work for a living, and that he would talk with them in this way, and this being a local bill they did not care anything about it one way or the other, and he would shove them out five dollars or so and he would secure their influence. That is the talk he had with me standing right out there by the electric clock.

Q. Then he told you substantially this—am I correct—that he would pay some of them five dollars apiece?

A. Yes, sir.

Q. And buy their support and votes in that way?

A. Yes, sir.

Q. And wanted you to furnish the money for that purpose?

A. He spoke of that in connection with Mayor Shackelton's going after money.

Q. Then you understood, did you, from him and from Dakin, that Mayor Shackelton had gone after money for that purpose? Is that correct?

A. Yes, sir. But allow me here to say in explanation, that I did not believe a word that Fellows told me about the work that he was doing.

Q. You did not?

A. No, sir.

Q. You did not think he would accomplish anything of the kind?

A. I did not believe that he was doing that kind of work with the members.

Q. If he stated it to you, why did you disbelieve him?

A. I could not believe him.

Q. Why did you think he was lying to you about it?

A. I thought he was doing it to get some money to put in his own pocket, and used that way to do it.

Q. You thought that would be the most reasonable story to believe.

A. Yes, sir. I could more easily believe that than believe that a stranger would come amongst a body like this and go to doing the work that he repre-

sented that he was doing. It struck me when he talked it to me as a thing too ridiculous to listen to.

Q. You believed, then, that instead of getting that money for the members as he represented to you, that he was getting it to put in his own pocket?

Mr. Conductor Diekema—I object to that question on the ground that it has been already answered.

Q. I will withdraw that. Mr. Fellows and you have had some little difficulty have you not?

A. Not a particle in the world.

Q. Are you on friendly terms?

Mr. Conductor Herrington—That is objected to. We are not trying Mr. Fellows.

The Speaker—The Chair is of the opinion that all this testimony relative to Mr. Fellows is entirely irrelevant.

Mr. Dodge—Perhaps some portion of it may be. I do not care to follow that up in that direction much further; but if the Chair please and if the gentlemen of the House please, it seems to me it is very important to know if Mr. Fellows, one of the witnesses subpoenaed here on the part of the State, is the kind of a character that the main witnesses for the prosecution represents him to be. It seems to me, as a matter of good horse sense, that the members of the Legislature ought to know all about it, as to just the kind of a man he is, and I certainly think we should have the opinion of this witness with reference to his character. That is the only purpose of it.

Mr. Conductor Diekema—The opinion of this witness makes no difference. When Mr. Fellows is called he can fully examine him as to his history.

The Speaker—The Chair is of the opinion that all this testimony relative to what took place between the witness and Mr. Fellows in the absence of Mr. Dakin is entirely irrelevant at this stage of the proceedings.

Mr. Dodge—Very well, I will not press it.

The Speaker—The Chair holds in his hand a question which he will read: Was there anyone else present at this conversation between yourself and Mr. Fellows?

A. There was not.

By Mr. Dodge:

Q. At the time you got down to the saloon, you had made up your mind that there was something very wrong in this asking for money, and you had come to that conclusion from the talk that you had had with Mr. Dakin and with Mr. Fellows? Am I correct about that?

A. Yes, sir.

Q. And so you went into the saloon for what purpose?

Mr. Conductor Snow—That is objected to. It has all been gone over and the witness has answered that question.

Mr. Dodge—I will not ask him that. He said he went in to get something, and he told what it was, but I did not ask him for what particular purpose he went.

The Speaker—The witness will state, if he knows the purpose.

A. When this matter of Shackleton's going home for some money was alluded to again on the street, I was very much impressed—

Q. Impressed with what?

A. That there was something radically wrong going on here, and it frightened me,—if that is the proper term.

Q. You know whether it is or not?

A. I will say that it startled me, because I did not know how far nor how common this talk might have been, and I was apprehensive, if there was talk being had about money to influence the Saginaw legislation, and with that kind of freedom, that I might find myself, perhaps, involved in the inquiry, and it occurred to me that the first thing to do was, if I could, to see how far this had gone, and who was involved in it.

Q. Then I understand you that your apprehension was based upon some possibility that you might be drawn personally into it yourself?

A. Yes, sir, for I had already found myself involved in the conversation about it.

Q. And you thought, then, you would go with these men into the place and see whether or not you were involved in it?

A. I thought I would go somewhere where I could pursue this inquiry a little, and see, if I could, how far it had gone.

Q. How far did you think it had gone at that time?

A. I did not stop to think. I did not have time to think.

Q. I understood you to say you thought things looked cloudy for yourself, possibly?

A. It did. When I found myself involved in a conversation about getting money to use to get a bill through this House.

Q. Did you find yourself involved in that predicament?

A. I found myself involved in a conversation about it, here in the lower corridor.

Q. When?

A. In my first conversation with Mr. Dakin.

Q. Now, as is suggested by counsel, you felt yourself alarmed and startled here in the capitol, over the conversation that had taken place with reference to money?

A. No, not until it was alluded to a second time.

Q. Where?

A. At the corner of Michigan and Washington avenues.

Q. The other matter made no impression on you—what you heard in the House?

A. It did make an impression on me.

Q. But you did not feel that you might yourself be involved until you came down to the time of the second conversation. Is that correct?

A. It did not appear to me in that way—in fact the conversation that took place in the corridor of this House—

Q. I want you to answer my question and not tell something else.

Mr. Conductor Goodrich.—The gentlemen have asked the witness a fair question, then as soon as the answer begins he interrupts him when he seems to be answering the question correctly and properly. He should be allowed to answer the question.

Mr. Dodge.—My brother has had experience enough to know that it is not a proper method of objecting to a question. We are undertaking, as near as may be, to proceed under court rules, and I do not propose that this witness shall answer any question that I do not ask him. I hope that my brother will not insist on his point.

Mr. Conductor Goodrich.—I propose, Mr. Speaker, to see justice done, and I think if my brother understood the answer that was being given he would find that it was in harmony with the question which was asked. My

brother is so anxious to get out an answer that will be in his own favor that he hardly understands his own questions.

Mr. Dodge—There is a proper way to object to my questions and I trust my learned friend will make his objections in the proper way, and that he will not make a speech for the benefit of the House and the witness. I know that he understands proceedings of this kind sufficiently to make a proper objection, without interrupting me.

Mr. Conductor Goodrich—I beg the gentleman's pardon from him, but I did not interrupt him.

The Chair—The gentleman will answer the question.

Mr. Dodge—Will the stenographer read the last question and answer?

The official stenographer read as follows:

“Q. But you did not feel that you might yourself be involved until you came down to the time of the second conversation? Is that correct?”

“A. It did not appear to me in that way, in fact, the conversation that took place in the corridor of this house—”

Mr. Dodge—I submit that the witness was keeping away from the question entirely.

The Speaker—The examination will proceed.

Mr. Dodge—If the chair will pardon me, I desire my brother and the House to understand that I do not wish to appear captious, but I want to get at the facts and to do it as best I know how.

Q. Will you please answer this question: When did that idea occur to you that there was something wrong in your conversation down there on the corner of Michigan and Washington Avenues?

A. As soon as Mr. Dakin, in reply to my inquiry, alluded to the subject of money.

Q. Then you had made up your mind for the first time that there was something to be astounded at and frightened about. Is that correct? You said a moment ago that you were startled.

A. That reply did startle me.

Q. Then you followed this matter up, if I understood your evidence upon direct examination, and you followed him right into the saloon, or did you invite him in?

A. I did not invite him. I cannot say which proposed stepping inside.

Q. But at this time you were very much startled, and yet you say you went into the saloon?

A. Yes, sir.

Q. After you got into the saloon how did you expect to allay your fright or do away with your feeling of anxiety in this matter, by pursuing the course which you state on your direct examination you did pursue in the saloon stall on that occasion?

A. I thought by having further conversation with these gentlemen I could ascertain how far this scheme to get some money had gone and what the purpose was.

Q. Did you not think when you were in company with these men on this occasion that you were in pretty bad company, if there was any doubt as to their methods? And did you not feel yourself somewhat more alarmed when you discovered what you communicated to the Legislature and testified to here this morning?

A. You mean after our interview had terminated?

Q. After you commenced your interview there.

A. I became more and more impressed at every step in that interview.

Q. How were you impressed ?

A. I was impressed that there was something radically wrong.

Q. And for that reason did you induce Mr. Dakin to check off the several parties that appear upon this list which has been exhibited here this morning ?

A. No, sir.

Q. Had you up to this time informed Mr. Dakin and Mr. Fellows that you were surprised ?

A. No, sir.

Q. Did you make any objection to their statements ?

A. No, sir.

Q. Or to their methods ?

A. No, sir.

Q. How did you come to advise Mr. Dakin to check off certain individual members of the House. How did you come to advise him to do that ?

A. You mean in what manner ?

Q. I do not ask you in what manner. I ask you how you came to do that, how you satisfied your head and your conscience if you were laboring under so much anxiety ?

A. I was pursuing this inquiry to find the extent of what his purpose was in regard to money.

Q. What the extent of his purpose was ?

A. Yes, sir.

Q. Was it for that reason that you desired him to give his opinion as to the members that he thought might be corrupted by the use of money ?

A. Not wholly.

Q. Was it partially ?

It was partially that and partially this: Up to that time he had represented that there were a good many members that he wanted to see. At first, from his conversation, it did not occur to me to doubt but that he might have talked with some, perhaps, on this same subject. As he went on to repeat that there was a considerable number that might be seen in this way, I doubted his statement of having talked with anybody, and it occurred to me that that was a scheme of his to see if he could not get some money for his own use.

Q. For Dakin's own use ?

A. Yes, sir, or Dakin's and Fellows'.

Q. Now, if you thought these men were pursuing that sort of a course to get money for themselves, why did you need to feel startled ? Why were you so frightened ?

A. Because I regarded the use of money in connection with official action as being one of the gravest offenses that could be committed in any shape.

Q. But you have just stated that you did not regard that this money was to be used with any one else, but that it was to be used by the respondent and Fellows for themselves ?

A. I regarded that as equally wrong.

Q. And therefore you felt startled and alarmed for fear of yourself ? And now will you state what fear you had of yourself ?

A. It was more that it—

Q. Now just state that, please.

A. It was more that it occurred to me that something might be going on

that might compromise the good name of Saginaw in connection with this Legislature.

Q. Do you think, let me ask, that the good name of Saginaw or of the members of the Legislature of the State of Michigan would have been compromised had you not asked Mr. Dakin to take his pencil and check off their names?

A. I do.

Q. And then reported it to the House of Representatives?

A. I do.

Q. How is it that you think the Legislature and the Saginaw Valley would have been compromised had you not done this?

A. I would like to have the question read.

The official stenographer read as follows: "Do you think, let me ask, that the good name of Saginaw or of the members of the Legislature of the State of Michigan would have been compromised had you not asked Mr. Dakin to take his pencil and check off their names, and then reported it to the House of Representatives?"

A. I never did that.

Q. Never did what?

A. Never reported it to the House.

Q. You reported it to the Speaker?

A. Yes, sir.

Q. In a letter addressed to the Speaker?

A. Yes, sir.

Q. Did you not expect it would be reported to the House?

A. I will explain to you—

Q. You may explain on your re-direct.

Mr. Diekema.—The witness will be privileged to answer the question fully. No one can understand it unless he does.

The Speaker—Let the witness answer.

Mr. Dodge—Let the question be repeated.

The question was repeated by the official stenographer as follows:

"Q. Did you not expect it to be reported to the House?"

Q. Answer that yes or no. That is susceptible of that kind of an answer?

A. I can not answer it yes or no.

Q. Then let it go.

A. I desire to answer it though.

Q. You may when I get ready to ask you again, or if I do not you can answer it on the redirect examination. You directed his making these marks opposite these several names, did you not, and he made those marks there at your solicitation?

A. The question is ambiguous.

Q. I will ask you part of it: did you direct his making those marks there? Answer it yes or no.

A. No, sir.

Q. Who did?

A. No one.

Q. How did he come to make them?

A. I requested him—

Q. Just answer the question. How did he come to make them?

Mr. Diekema—I insist that the gentleman shall not interrupt or badger the witness.

The Speaker—Let the witness answer the question

Q. How did he come to make them?

A. I requested him to check off on that list the names of those that he wanted to see in the manner that he had suggested.

Q. Then he made those checks there at your solicitation?

A. At my request.

Q. Did he offer to do anything of that kind until you had requested him to do it?

A. No sir.

Q. Did he not hesitate when you asked him to do it, and did you not rather insist upon his doing it?

A. No sir.

Q. What did you say to him?

A. I asked him to check off the names of those that he desired to see.

Q. What did you do that for?

A. Because as he read them over and stated the names I undertook to count them, and when he had got down about six or seven names there was a running conversation going on, and I lost the count. Then I suggested, "Just take a pencil and check them off."

Q. What did you ask him to check off those names for?

A. So I could see how many names there were on that list that he was pretending that he wanted to see and use money with.

Q. Was that your only purpose?

A. Yes, sir.

Q. Did you not state in your letter to the Speaker of this House that you communicated with him because of the reason that you wanted to ascertain whether methods of this kind could be resorted to in the Legislature or not?

A. No, sir.

Q. Did you not say in that letter, "I make this communication to you because I believe that the suggestion that we ought to furnish money for the purpose of influencing this body to grant us a charter, which we believe is just and proper in all respects, is wholly uncalled for and ought not to be encouraged, and for the purpose of asking you, as the presiding officer of this body, what course ought to be pursued in the matter?"

A. I did. That is a part of my communication.

Q. Then I will ask you again what your real purpose was in having Mr. Dakin check off those names?

A. To see how many there were that he was pretending he wanted to see.

Q. Was not your real purpose at that time in getting him to check off those names, that you might report it to the Legislature?

A. No, sir.

Q. Or to the Speaker of the House?

A. No, sir.

Q. When did you come to that conclusion?

A. While we were waiting for supper at the Hudson House.

Q. How long after this?

A. Probably six hours.

Q. What time did you meet there—about eleven?

A. Yes, sir.

Q. This was about five o'clock?

A. Between five and six.

Q. And you came to the conclusion then that you would report that matter to the Speaker?

A. Not at that time.

Q. When did you come to that conclusion?

A. After supper.

Q. Then it was about seven hours afterwards?

A. Yes, sir.

Q. Had you been talking with Mr. Little, or any one in regard to the matter?

A. I had.

Q. And the conversation you had with them took place where?

A. In the Hudson house.

Q. At what time?

A. With Mr. Little just before we went in to tea.

Q. What did you have to say to Mr. Little about it?

Mr. Diekema—That question is objected to.

Mr. Dodge—I will withdraw the question.

Q. You talked it over with Mr. Little that you would address a letter to the Speaker of the House

A. No, sir.

Q. I understood you to say you did.

A. No, sir.

Q. When did you first come to the conclusion that you would address a letter to the Speaker of the House?

A. The next morning.

Q. What date was that?

A. The 20th.

Q. You came to the conclusion next morning that you would address the Speaker on this subject, did you? That is what you said. Is that correct?

A. I was requested—

Q. Lawyer Eaton, that is not proper. You know the question. I ask you when you came to the conclusion that you would address the Speaker of the House upon that subject?

A. I came to the conclusion that I would see the Speaker about it.

Q. When did you come to the conclusion that you would write him that letter?

A. About 10 o'clock the next morning.

Q. On the morning of the 20th?

A. Yes, sir.

Q. You came to Lansing on the 19th.

A. Yes, sir.

Q. Don't you know if you came to Lansing on the 19th and you would address the Speaker a letter on the 20th it would not be in the journal until the 21st?

A. I did not know anything about the date but my recollection is that it was on the 20th. My recollection is that I wrote the letter on the 20th.

Q. On the next day?

A. Yes, sir.

Q. And then how long did you remain in Lansing on this occasion?

A. I think I went home the evening of the 20th. That is my recollection. It may have been the 21st.

Q. Let me ask you the question again, because I am in doubt about it my-

self. With whom did you talk about writing this letter to the Speaker of the House ?

A. With the Speaker.

Q. Before it was written?

A. Yes, sir.

Q. With whom else?

A. Will you allow me to state the circumstances of my communicating it to the Speaker in full?

Q. No. Who else was it?

A. I don't know that I spoke to any one else about putting that matter in writing, except the Speaker and the Clerk of the House when I submitted it, and he suggested that it be a sworn statement and added an affidavit to it.

Q. At the time you had this conversation there, you made up your mind that you would follow this up, and that you would have these marks made and that you would have the sums of money set opposite their several names, for the purpose of doing what?

A. At what time do you allude to?

Q. The time you were in this stall at the saloon.

Mr. Conductor Diekema.—That is objected to as having been answered three times.

The Speaker—I think that question has been answered before.

Mr. Dodge—Not in regard to the sums of money. He was not asked about placing figures opposite their names.

Mr. Conductor Diekema—That is directly answered.

Mr. Dodge—I do not remember it. I submit it has not been answered and will leave it to the Speaker that the question as to why he put these figures opposite their names was not undertaken to be answered by the witness, nor asked before.

The Speaker—Ask the question.

A. There are several transactions involved in that question, and I cannot answer them all in one answer. I will answer this. At the time that I requested Mr. Dakin to check those names off I had no other purpose whatever in my mind except to ascertain the number of persons that he proposed to see.

Q. "I then requested him to place opposite each name that he had checked the amount he thought would be necessary to use with each member."

A. I did.

Q. What do you mean by that; use for what purpose?

A. Use for the purpose that he had described.

Q. I am asking you what your opinion was about that. Please answer for what purpose you intended the sum of money should be placed opposite the name, for what purpose; the figures?

A. I did not intend that the money should be used at all.

Q. What did you ask him to put the figures there for?

A. To ascertain what his idea was about the amount of money he wanted to get.

Q. What interest had you in that, what was that to you?

A. I was trying to ascertain how far this matter had gone, and what his intentions were about getting some money.

Q. What earthly concern was that to you?

A. I was interested in seeing that nothing improper was done in regard to the legislation about the Saginaw charter.

Q. That is the reason you asked him to put those figures opposite the names of those honorable members?

A. I wanted to see how much money——

Q. Answer the question.

A. My only purpose at that time was to see how much money he was after.

Q. Why did you want to know about the money he was after? Why did you not ask him in so many words?

A. I stated that he said he could not tell.

Q. You expected to induce him to make these figures and you would tell in that way. How did you expect to tell in that way?

A. By adding the several sums together.

Q. Why did you take a list from the House roll-call and use it for that particular purpose?

A. Because he hesitated so in giving me the names of the parties that he wished to see. He did not mention more than two or three, and was hesitating.

Q. You pressed him, did you not?

A. I did.

Q. Why did you press him?

A. He had represented that there were some thirty-four Grand Army men here, most of them he wanted to see. There were some democrats that did not belong to the Grand Army, and his representation was that there was a large number that he was going to work with when he got this money. I wanted to know who those men were.

Q. What did you want to know that for?

A. I wanted to make up my mind whether he had been talking with any of the members.

Q. What did you want to make up your mind to that for?

A. I wanted to see whether he was not putting up a job to get some money himself.

Q. What did you want to see that for?

A. Because I wanted to stop it.

Q. Why in the world didn't you tell him to stop instead of asking him to put these figures opposite the members' names?

A. I had not got hold of enough to find out whether there was anything to stop.

Q. And yet you thought you had been very much startled from the surrounding circumstances from what you had heard?

A. I was startled.

Q. You thought there was not anything you had thus far heard that ought to be stopped until you had got a large number of members of the Legislature; is that true?

A. I thought from the beginning there was something to be stopped.

Q. Why did you not say to him that it ought to be stopped?

A. I thought it was important for me in the first place to see how far this had gone and who was involved in it.

Q. Did you not know that it would be a reflection upon the members of the legislature whose names he checked, if that was made public?

A. Yes, sir.

Q. You had him do something that you knew would be a reflection upon the individual members of this House.

A. But he was repeating those names verbally.

Q. Why did you not take them down ?

A. I had nothing in my hand at the time.

Q. How did you happen to have that roll call with you ?

A. I had it for more than a month.

Q. You said a moment ago and you said on your direct examination that there were only two names mentioned by Mr. Dakin and that you were pressing him to get other names?

A. Yes, sir.

Q. Now you say he was naming those names over?

A. Yes, sir.

Q. How do you explain those two statements, if he was only naming two and you were pressing him for others, how was it that he was naming over this entire list?

A. I do not say he was naming these individuals he marked, but he was professing to give to me the names of the members of this House with whom he could use money.

Q. Did he tell you so ?

A. Yes, sir.

Q. In the presence of these gentlemen ?

A. Yes, sir.

Q. And then you said "check them off ?"

A. Yes, sir. That was before I took out the roll call.

Q. And he was giving these from his off-hand statement ?

A. Yes, sir.

Q. How many names did he give you ?

A. I don't think he mentioned more than two or three.

Q. You said he mentioned two?

A. He mentioned two, there might have been three.

A. If you had not taken out that roll call he would not have included these other members ?

A. Possibly not.

Q. Who was responsible for the reflection, if there was any, cast upon those members, you or Mr. Dakin? You were urging and pressing him to do this. Who was responsible ?

A. It is a matter of opinion.

Q. What is your opinion about it?

A. My opinion is that if Mr. Dakin had not started the talk about money no one would have been involved in it.

Q. Do you think if it had not been for you any one would have been involved in it ?

A. Yes, sir.

Q. How ?

A. I think this talk was going on, not publicly, but privately.

Q. How do you know it was ?

A. From the very free manner in which this was spoken of, without any attempt to secrecy, or concealment, or privacy.

Q. You thought you would come down here and put a stop to it ?

A. No.

A. What did you think about it ?

A. I knew nothing about it until I arrived here. That was the first time I suspected there was anything of the kind.

Q. You believed that the proper thing that was necessary for you to do in

order to put a stop to this was to have Mr. Dakin take his pencil, check off several names, put the sums opposite their names and report the same to this House?

A. No. I have not so stated or intimated.

Q. I ask you if that was your purpose?

A. No.

Q. Why did you address the Speaker with these names attached, this House roll-call?

A. I will explain that if you desire.

Q. I desire it.

Q. If you desire me to state fully the circumstances of my making that communication.

Q. I do.

A. After this interview had terminated I went to the Hudson house and had dinner. After dinner I came up and met the committees on municipal corporations and labor interests. I found that instead of the meeting before that committee having been postponed, that nothing had been said about a postponement. The committee met at one o'clock as had been agreed upon, and the matter of the Saginaw charter was called up. The clerk of the committee then stated that Mr. Linton had gone to Saginaw with Mayor Shackelton, with an understanding which they thought would be satisfactory to the parties interested, and that probably it might result in withdrawing the opposition from the charter. The chairman of one of those committees said that there had been a great many postponements, and expressed himself quite strongly that this ought not to have been done to compel the Saginaw City gentlemen to again come down here to attend the hearing and not have that hearing take place. The chairman of both committees spoke quite earnestly about it. We finally said Mr. Shackelton will come back this evening undoubtedly and Mr. Linton, and it will be better for us to remain here until to-morrow morning and see what the result of their deliberations has been, than to have it postponed until a future time, and we consented that it be put over until the next morning. The two committees said they would give us a hearing next morning at eight o'clock, and the matter was disposed of thus in a few minutes. We were not before the committee more than fifteen minutes I think. I then went out and went down upon the street and met Alderman Tillotson, one of the aldermen of Saginaw. He knew we were to have a hearing here that day. He had been down south, and on his way back he stopped off here at Lansing, knowing there would be some Saginaw gentlemen here. My recollection is that this was the first time I had seen him in two months. He inquired with reference to the situation in regard to the charter. He told me he had just seen Mr. Dakin and Mr. Fellows on the corner one block from there. He related to me a conversation that he had with them, that still further impressed upon me the importance that something ought to be done. He told me that he thought he had said enough to them, so that this conversation about money would stop. The conversation with him was dropped. I came back to the hotel and about supper time I said to Col. Little, while we were waiting—I asked him if it was right for us to go back to Saginaw without apprising some proper person of what had transpired with reference to this money talk. He hesitated quite a little about suggesting any course. He finally said, "Mr. Crossman boards here; he has had a great deal of experience and is a man of good

judgment, you had better speak to him about it." So after tea I came out into the reading room. Mr. Crossman, to whom I had been introduced on a former occasion, was sitting there. I spoke to him and said I wished to have a few minutes' conversation with him privately, and we went apart, and without going into particulars minutely, but enough to state to him in substance that I wanted to communicate to the proper officer of this House a matter that pertained to the conduct of a member of this House, I asked him who the proper person was for me to see, whether it was the Speaker of this House or the Governor. He said if it was a matter that pertained to this House the Speaker of the House would be the proper person. He remarked that he had an appointment at the capitol that evening and was coming up here, and he thought the Speaker would be about the House and he would find him for me. We came up to the Speaker's room. That was the evening of the 19th, perhaps 7 o'clock. We went into the Speaker's room. He went somewhere and found the Speaker, brought him into the room. It is my recollection that while he was looking for the Speaker, or immediately after, one of the gentlemen whose name had been alluded to was met by him, and he either brought him into the room or he was in there when we went it, I won't say which.

Q. What time was that?

A. About 7 o'clock in the evening of the 19th. I said to the Speaker I had a matter I wanted to talk with him about privately, and he and I engaged in a private conversation about it. I briefly gave him the outlines of it. I said to him, "If this is a matter that you think ought to have some attention on your part I will leave it in your hands; but if you think I have been over-zealous in calling your attention to it excuse it in me and let it remain a private matter." He replied that it was certainly a matter of importance; just what course ought to be taken he was unable to suggest at that moment. After some little reflection he said: "There are, I believe, one or two other gentlemen whose names are involved; perhaps we had better consult them."

Q. Who are they?

A. I do not recollect their names. It strikes me that Mr. Diekema is one.

Q. Who else?

A. I would not say that there was another, but it strikes me that Mr. Herrington, but I may not be right about that. Mr. Diekema may have been the only one. I think that while we were talking about it Representative Bates, chairman of the committee on municipal corporations, came into the room. I think the Speaker invited him to remain. I think he took a seat. That is my recollection of the course of events. The Speaker then said to them that this was a private matter which I had related to him, which he thought he ought to lay before them, and requested me to relate it to him in detail just as it had happened. All of the conversation was private. It was spoken of, I believe, by gentlemen who were there, that the matter should remain entirely private so as not to hurt anybody nor create any interest at all until it could be considered over night, and they would have a consultation in the morning and determine whether anything should be done about it. We separated, each one with the understanding that the matter was to be a private matter.

Q. Who was it that was together with you and agreed that it should be a private matter?

A. I think the Speaker, and Mr. Crossman I think was present, and I am

certain Mr. Diekema, and I believe Mr. Bates. The matter was talked over generally. I won't say they each one said so, but it was concurred in that it should be kept as a confidential matter until there had been a consultation and it had been thought of over night to see what would be done about it.

Q. You have brought it up to the time of this conference with the gentlemen that you have named?

A. Not quite. The next morning about ten o'clock or just before—

Q. What day would that be.

A. The 20th. I came into this hall, the Speaker of the House spoke to me and said they had had a conference with reference to this matter, and had requested that I should put it in writing, briefly stating the facts, and suggested that I might step into his room and do so. I stepped into his room and wrote the communication which I afterwards presented to him, and put it in my pocket. When I came back from dinner I put it in an envelope, saw Mr. Crossman, the Clerk, handed in to him, as I supposed he was the proper person to hand a communication to for the Speaker, as I did not see the Speaker, for both of them had been in this interview, and I think in fact the Speaker said: "Hand it to me or Mr. Crossman and he will hand it to me." Mr. Crossman glanced at it. I told him what it was, and says he: "Perhaps that had better be a sworn statement." I said "Very well." We stepped either into the Clerk's room or the Speaker's room and Mr. Crossman drew the affidavit which is attached to it, and I left it in his care.

Q. That covers the whole transaction from the time you commenced down in the saloon inquiring into the condition of things up here and what you may have done up to the time that the letter was addressed to the Speaker?

A. Yes; so far as I remember. There were other things took place. In the meantime I had spoken to Mr. Little.

Q. Did you see Mr. Tillotson after you got this roll call into your pocket?

A. I did.

Q. Did he ask you to give that roll call back to him?

A. No, sir.

Q. Or to give it to him?

A. No, sir.

Q. Didn't he tell you that he wanted that roll call, or give you to understand that he wanted the paper that those marks had been made upon?

A. No, sir.

Q. Mr. Tillotson did not?

A. No, sir.

Q. What did you say, if anything with reference to it?

A. Nothing whatever.

Q. At the time you were in the saloon you asked Mr. Dakin if it wouldn't give you into trouble as you stated in your communication?

A. I asked him if it wouldn't be likely to get us all into trouble.

Q. Whom did you mean by that?

A. All of us.

Q. Why did you ask him that question?

A. I said to him, "Is this a prudent thing to be talking about money in this way; won't it get all of us into trouble?"

Q. Why did you ask Mr. Dakin that question?

A. I wanted to see what he thought about it.

Q. Didn't you know what you thought about it?

A. Yes, sir.

Q. And you were asking him for the purpose of drawing him out upon that subject?

A. I wanted to see what the fact was.

Q. Did you tell him during that entire conversation that you thought there would be anything wrong in doing just what you asked him to do or just what he said he could do?

A. I did not suggest to him that it was wrong.

Q. You rather gave him to understand that what he was doing was all right?

A. No, sir.

Q. You did not tell him that it was not all right?

A. No, sir.

Q. But you did ask him to make those figures and those marks as you have testified?

A. Just as I have testified.

Q. You appeared in the Speaker's room when these gentlemen were there and interrogated Mr. Dakin?

A. No, sir. I appeared there and asked him one or two or three questions.

Q. Who asked you to do that? Did anyone ask you?

A. I cannot say that there did.

Q. You were following him up then upon your own account?

A. I thought that he had—

Q. Please answer the question.

A. No, sir.

Q. Whose account were you following him up on?

A. I wanted to call his attention to a part of the conversation that he had omitted.

Q. What did you want to call his attention to that for? Who asked you to?

A. I was there by invitation.

Q. Who asked you to put those questions?

A. No person.

Q. You put those questions upon your own motion?

A. Yes, sir.

Q. Isn't it true that you have got a good deal of antipathy and enmity for Mr. Dakin, and have had for a long time?

A. No, sir.

Q. Isn't it true that you have made the statement to several different ones that would indicate that state of feeling?

A. No, sir.

Q. Was Mr. Tillotson, with whom you talked about the charter, the gentleman whom Milo H. Dakin defeated for a seat in this Legislature?

A. Yes sir.

Q. You and Mr. Dakin were rather acting in concert during this entire time until this matter was made up there, were you not, with reference to what could be done with the members of the Legislature?

A. No, sir.

Q. You stated this morning in your direct examination that Mr. Dakin said that if he should go to a man and make him any promises and then he should not get the money he would go back on him. You discussed the matter from beginning to end in this conversation here in the capitol building?

A. No, sir; that took place in the restaurant.

Q. Did you not tell him in the presence of Mr. Fellows that you would see to it that the money was forthcoming to Mr. Fellows for the purpose of doing what was suggested?

A. No, sir. I would like to have you fix the place?

Mr. Conductor Herrington—I object to it as incompetent.

Mr. Conductor Goodrich—The gentleman certainly must know that he has got to lay the proper foundation before asking such a question as that.

The Speaker—The Chair understands the gentleman to say that Mr. Dakin was present.

Mr. Conductor Goodrich—It does not make any difference about that. If we are to proceed under the rules of evidence he has no right to ask such a question until he lays the proper foundation. If I understand it the courts will not hold that the witness is bound to answer the question until he lays the proper foundation, and he has not laid the proper foundation yet.

The Speaker—I think the question is proper, if it was during the time Mr. Dakin was present.

Q. Did Mr. Dakin ever ask you for any money?

A. When?

Q. Did he ever ask you for any money?

A. Except as I have testified to-day he never did.

Q. You know that that is not a proper answer. I cannot remember what you testified to as you can, and will you please answer me, yes or no, whether or not Mr. Dakin ever asked you for any money on earth?

A. No, sir, he never did.

Q. Directly or indirectly?

A. Directly or indirectly.

Q. Did Mr. Dakin or Mr. Fellows or either of them tell you that Mr. Shackleton had gone home to Saginaw City for the purpose of seeing Representative Linton to fix up the Saginaw City charter?

A. When and where?

Q. When you met them here on the 19th of April.

A. At what place?

Q. In the capitol building.

A. No, sir.

Q. Did they tell you so during that time at all?

A. At the conversation at the restaurant—

Q. I ask you, did they tell you so that day at all?

A. No, sir.

Q. Did they tell you anything in connection with any matter that he was going to fix up with Representative Linton regarding the charter, either that day or the day following?

A. Yes, sir.

Q. When did that occur?

A. During the 19th.

Q. Whereabouts?

A. It was talked at the restaurant.

Q. Who talked to you about that?

A. That matter was alluded to two or three times.

Q. By whom?

A. By Mr. Dakin.

Q. By Mr. Fellows also?

A. I don't remember whether Mr. Fellows spoke of that or not.

Q. Is it not true that Mr. Fellows is the only one on that occasion, the 19th or 20th day of April, who told you that Mr. Shackelton was going to bring money for his, Fellows' expenses, and that he came here as one of a committee named in Saginaw, of whom ex-Governor Jerome and some other gentlemen were members?

A. That was not said on that occasion.

Q. On either occasion?

A. No, sir; not in that language.

Q. Well, put it in language of your own choosing. State it in language as you understand it.

A. There was talk about money to pay expenses. I don't remember that there was any talk about his coming as a member of a committee, of whom Governor Jerome was one, or any conversation of that kind.

Q. Did not Mr. Fellows tell you, and did you not so understand that if there was any money sent down here, either by wire or otherwise, that it was to go to Mr. Fellows for his services, and for his time and attention given to the city charter?

A. No, sir.

Q. Who was present on the street when you had this conversation on the corner of Washington and Michigan avenue?

A. With whom?

Q. With Dakin.

A. Mr. Fellows and Mr. Crowley.

Q. Are you sure that Mr. Crowley was present upon that occasion?

A. Yes, sir.

Q. Did not Mr. Crowley come up afterwards?

A. No, sir.

Q. Was Mr. Smith there?

A. No, sir. I left Mr. Smith in the building here.

Q. Who was it, if anyone, that asked you to give up this roll call that has been exhibited here, after you left the restaurant?

A. No person whatever.

Q. There never has from that time to this?

A. No, sir.

Q. Have you talked with several members of the Legislature except the conversations you have related upon the stand, about Mr. Dakin in any particular or any capacity?

A. Yes, sir.

Q. With how many members of the Legislature have you talked?

A. I have talked with Senator Wisner and with Representative Snow; I don't remember that I have talked with others.

Q. Is it not true that you have expressed your opinion with regard to Mr. Snow on several occasions to members of the Legislature, including Mr. Wisner and Mr. Snow.

A. What opinion?

Q. Yours, of Mr. Dakin?

Mr. Goodrich—I object to this question. If it is for the purpose of impeachment I say that he must lay the foundation. I think the rule is plain and clear. If this question is asked for the purpose of impeachment he must lay the proper foundation before he is entitled to put the question.

The Speaker—The chair is of the opinion that it is a proper question. He may answer if he can.

A. I do not recollect having expressed any opinion of Mr. Dakin to any member.

Q. Then you have not expressed any opinion regarding Mr. Dakin to any of the members of the Legislature?

A. I do not recall that I have.

Q. Don't you know that you have, on several occasions, at least two or more, taken pains to criticise and denounce Mr. Dakin?

Mr. Herrington—I object to that as repetition. It has been answered twice. When will we get through if this course is continued?

Mr. Dodge—It is not a question of when we get through.

Mr. Herrington—I object to it as having been answered twice already.

The Speaker—The Chair is of opinion that it is a repetition of the former questions, and the answer would be nothing more than the answers to the former questions. The witness need not answer the question.

Q. Isn't it true that you have taken a very active part in the prosecution of this case, commencing from the time that you met Mr. Dakin here in the capitol, up until the present time? Answer that yes or no.

Mr. Herrington—I object to that as incompetent. He can ask the witness what he has done, let him state the facts, and then leave it for the house to judge whether he has taken an active part or not.

Mr. Dodge—That certainly is a fair question. What they suggest can be explained on re-direct examination.

The Speaker—The chair is of opinion that it would be proper to ask the witness what he has done.

Mr. Dodge—Wouldn't it save time to put the question in the way I have already stated it? If he has not, that will end it right there and I will not undertake to go into the details.

The Speaker—It would be merely a matter of opinion with him anyway.

Mr. Dodge—But we could judge of the animus, and the statement of the witness is the best evidence of those facts.

The Speaker—Ask him what he has done?

Mr. Dodge—I will withdraw that question. Strike it out.

Mr. Herrington—We object to his striking anything out.

Q. What have you done with reference to the prosecution in this case from the day, as the chair decides—I believe the question was originally from the day that you met Dakin here on the 19th day of April—up until the present time.

Mr. Goodrich—I object to that. He has been all over this ground, and as to what the witness has done in this case from that time to the present time.

The Speaker—If there is anything that the witness has done that he has not stated he may state.

Mr. Dodge—I acted on the suggestion of the chair.

The Speaker—The chair did not intend, nor did counsel expect, that he could go all over this matter again.

Q. Is there anything that you have done in this transaction to aid the prosecution that you have not already stated?

A. There is.

Q. Will you please state it?

A. When the Sergeant-at-arms came to Saginaw to subpoena witness he came to my office and subpoenaed me, and then inquired of me where he

could find the other witnesses; showed me his list, and I told him they were all within a distance of three or four blocks of us and I would go and show them to him as they were strangers to him mostly. I went with him and in the course 15 minutes or half an hour we had found the witnesses and he subpoenaed them. Further than that I do not recall anything that I have done particularly to aid the prosecution.

Q. Are you acquainted with Gotlieb Stork of Saginaw?

A. Yes, sir.

Q. Are you acquainted with John Wines of East Saginaw?

A. I think I have seen him.

Q. And Henry Readly?

A. I don't recall the name.

Q. Did you say in the presence of either or both of these gentlemen that you would give five hundred dollars to have Mr. Daikin caught or trapped, or words to that effect?

Mr. Conductor Herrington—That is objected to.

A. No, sir.

Q. Mr. Conductor Goodrich—I object to the question on the same ground that I did before, that the foundation is not properly laid. Evidently this is for the purpose of impeachment. I would like to have the gentleman state if it is not for that purpose, for what purpose he does ask the question.

Mr. Holden—The question is not completed.

Mr. Conductor Herrington—I move to strike out the answer of the witness.

The Speaker—The answer will be stricken out for the present.

Mr. Dodge—I am unable to state the date, but it was on an occasion that you and Albert Trask were trying lawsuit in a justice court, in Saginaw City.

Mr. Conductor Goodrich—What was the date?

Mr. Dodge—I cannot give the date except to fix it at the time they were trying this law suit.

Mr. Conductor Snow—We object to it unless they give the time and place.

The Speaker—The date is very important.

Mr. Holden—May I be allowed to state that the information which you have is by message from another, and we are unable to fix the date nearer than that, but that is a circumstance which will enable the witness to fix it, and will hence be sufficient for his protection.

Q. I think Mr. Stork was a party to the suit or a witness in it at least. The time was sometime probably within a month. It is not very recent. That is as nearly as we can place it at present.

The Speaker—Was it before this transaction began?

Mr. Dodge—Yes, sir.

The Speaker—The chair holds it not to be proper.

Q. Did not Mr. Dakin on these several occasions when you have met him and had conversation, as has been related here in your testimony, on the 19th and 20th of April, say to you over and over again that there was not a member of the Legislature that could be approached with money or in any corrupt way, and that there could not be a dollar of money used corruptly here in the Legislature? Answer that if you please, yes or no.

A. No, sir, he did not.

Q. Did he ever say to you that money could not be used with any of the members of the Legislature for corrupt purposes?

A. I heard him make that statement.

Q. When?

A. When he was in the Speaker's room with the fifteen gentlemen whose names he had checked upon this roll.

Q. Did you ever hear him make substantially that statement before?

A. No, sir.

Q. Did he not say to you repeatedly on these several occasions, and especially in this restaurant, that the members of the Legislature were honest men in so far as he had any knowledge, and that they could not be approached with money, or words to that effect?

A. He made no such statement.

Q. Did he not say that money could not be used for any corrupt purposes?

A. He made no such statement.

Q. Did he not say to you in the presence of Mr. Fellows and of Mr. Crowley that he had a very high opinion of the men that he had checked off on that House roll-call, and that they were among the ablest and best members of the House?

A. No, sir.

Q. Did he not say to you in the presence of those gentlemen on various occasions that money could not be used in any way corruptly, and that if it could be used he would have nothing to do with it whatever?

A. He made no such statement.

Q. Nor nothing of that import or meaning?

A. Nothing of that import or meaning.

Q. His statements to you, then, if I understand you correctly, were on each and every occasion to the effect that money could be used for corrupt purposes?

A. That was his statement.

Q. And that statement he made several times before these parties as I understand it?

A. He did.

Q. What if anything did Mr. Dakin have to say to you about money being used with members of the G. A. R. in the House?

A. When I asked him, while sitting in the restaurant, in what manner he proposed to make use of this money, he stated that he was well acquainted with a good many members of the G. A. R.

Q. This is Mr. Dakin you are talking about?

A. This is Mr. Dakin. He stated that he was well acquainted with a good many of the Grand Army members; that there were a good many of them in the House. I think the number that he stated was thirty-four.

Q. I beg your pardon. Did you once before state what Dakin had said with reference to the G. A. R. men?

A. Yes, sir.

Q. I had forgotten. I was thinking that was what Fellows had said to you. I will withdraw that question. I do not care to go over it again. I see on the House Journal that gives the specifications, dollar marks are placed opposite of each figure on that list. The list has not been introduced in evidence yet, and I have not seen it.

Mr. Conductor Dickema—The list has been introduced in evidence.

Mr. Dodge—Where is it?

The original list was produced.

Q. This is in just the shape that it was when you reported it to the House?

A. Except the marks on the back, "F. L. E., April 19, 1887." That is all the difference.

Q. This House roll-call you say you carried it in your pocket for over a month?

A. Yes, sir.

Q. In your vest pocket?

A. I carried it in my diary.

Q. How did the dollar marks come to be placed against the figures, do you know?

A. Where?

Q. I don't suppose you do know. I think that is all.

Mr. Diekema—That is all, Mr. Eaton.

A. There was one question asked, and I was interrupted in my answer. I would like to complete my answer.

Mr. Conductor Herrington—What was it?

A. I was asked about my appointment as city attorney, and whether there was not some disappointment about it with reference to the vote for it. I desire to complete what I was about to say, that I never solicited the appointment of city attorney, nor had any disappointment at not being confirmed for a second year.

Mr. Holden—You have stated that fully.

Mr. Herrington—That is explained sufficiently.

Counsel for Representative Dakin then presented his formal answer to the specific charges, which, by stipulation, at the opening of the case were allowed to be made *nunc pro tunc*, as follows:

STATE OF MICHIGAN.

In the matter of articles exhibited on behalf of the special committee of the House of Representatives of the State of Michigan, appointed April 20th, 1887, against Milo H. Dakin, member of the House of Representatives, from the First Representative District of Saginaw county, in relation to the charges preferred against him for misfeasance, malfeasance, or venal and corrupt conduct in office.

I.

The said Milo H. Dakin, Representative as aforesaid, for answer unto the said articles preferred against him—for answer unto article 1, answering, denies that he, the said Milo H. Dakin, member of the House of Representatives aforesaid, unmindful of the high duties of his office, of his oath of office or otherwise, did corruptly or otherwise, on the 19th day of April, 1887, or at any other time, or at all, receive from John H. Shackelton, mayor of Saginaw city, or from any other person, certain sums of money, or any money at all, for the purpose of corruptly using the same among the members of the House of Representatives of the Michigan Legislature in influencing votes for the passage of a bill to amend the charter of Saginaw city, or any other bill then pending before the committee, or any committee, of the House of Representatives.

II.

Answering the second article of specific charges this respondent denies that

unmindful of the high duties of his office, of his oath of office, or otherwise, he did corruptly on the 19th day of April, 1887, or at any other time, solicit or endeavor to procure money from John H. Shackelton, mayor of Saginaw City, or from Frederic L. Eaton of Saginaw, or from any other persons, for the purpose ostensibly or otherwise, of corruptly using such money among the members of the House of Representatives of the Michigan State Legislature to influence their votes, or otherwise, in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committee on labor interests and municipal corporations of said House of Representatives, denies that he did on the said 19th day of April, or at any other time, solicit or endeavor to procure money from said John H. Shackelton or from Frederick L. Eaton, or from any other persons or person, for the purpose of corruptly or unlawfully appropriating all or any part of such money or any money at all for his own personal use or benefit.

III.

Answering the third article of specific charges, this respondent denies that he, the said Milo H. Dakin, representative as aforesaid, unmindful of the high duties of his office, or otherwise, did on the 19th day of April, 1887, or at any other time, make a list of names of certain or any members of the said House of Representatives, together with the amounts of money necessary to procure the vote or influence of each of said members named in said list in favor of the passage of a bill to amend the charter of Saginaw City, or any other bill, pending before the committees on labor interests and municipal incorporations jointly, or otherwise. And denies that he made, as alleged in said articles of specific charges, any such list of names, with the figures and characters set opposite said names, as is set out in said third article of specific charges; and denies that he made any list of names, with any figures or characters opposite the same, for the purpose or with the intent or understanding set forth in said article third. And denies that he, the said Milo H. Dakin, did at any time represent to the said Frederic L. Eaton, or to

any other person, that to secure the votes or influence of the members of the House of Representatives aforesaid, whose names are set forth in said article third, or any other members of said House, it would be necessary to use with each of them the amount of money set opposite his name in said list or any money at all.

IV.

Answering the fourth article of specific charges, this respondent denies that he, the said Milo H. Dakin, member of the House of Representatives as aforesaid, unmindful of the high duties of his office, or otherwise, did corruptly on the 19th day of April, A. D. 1887, or at any other time, solicit or endeavor to procure money from John H. Shackelton, Mayor of Saginaw City, Frederic L. Eaton, or from any other person, or persons, for the purpose of corruptly using such money so obtained among the members of the said House of Representatives, to influence their votes or efforts in favor of the passage of said bill to amend the charter of the said city of Saginaw, pending before said committees as aforesaid.

And this respondent, further answering, says that he never obtained or solicited any money at all, at any time, from any person for corrupt use with or among any of the members of the said House of Representatives; and that

he denies each and every of the allegations made and contained in the said several articles of specific charges; and hereby prays the judgment of this, the honorable House of Representatives, upon the truth of this his answer; and that he may be acquitted of the said several specific charges.

Respectfully submitted.

MILO. H. DAKIN,

Respondent

L. C. HOLDEN,

FRANK L. DODGE,

PHILIP T. VANZILE,

Of Counsel for Respondent.

STATE OF MICHIGAN, { ss.
COUNTY OF INGHAM.

Milo H. Dakin, being by me duly sworn, says that he has read the foregoing answer by him subscribed, and that he knows the contents thereof; that the same is true, except the matters stated in said answer to be upon information and belief, and as to those matters, he believes the same to be true.

SEYMOUR FOSTER

Notary Public for Ingham County, Michigan.

Representative Rumsey, sworn.

Examined by Mr. Herrington.

Q. You are a member of the present House of Representatives?

A. I am.

Mr. Dodge—We object to that as the record is the best evidence.

Q. Were you present in the Speaker's room on the 20th day of April, 1887.

A. On the 20th.

Q. State who were present on that occasion.

A. Speaker Markey was present, Diekema, Bentley, Dunbar, O'Keefe, Burr, Manly, Baldwin, S. Baker, Mr. McCormick, Mr. Herrington and myself.

Q. Who were sent for soon after assembling in that room?

A. Mr. Dakin. Mr. Eaton was also present.

Q. Did Mr. Dakin come to the room?

A. He did.

Q. About what time of day?

A. I think it must have been nearly 4 o'clock—between three and four. It was soon after the House had resolved itself into the committee of the whole on the general order in the afternoon.

Q. State if Mr. Dakin made certain statements there in relation to his connection with the matter in controversy?

A. He did.

Q. Were those statements taken down in writing?

A. They were.

Q. And signed by Mr. Dakin?

A. By Mr. Dakin.

Q. What have you there.

A. These are the statements that were taken down.

Q. Look at that signature at the close of the statement. Whose signature is that?

A. I saw Mr. Dakin sign that.

Q. Milo H. Dakin, Representative in this Legislature from the County of Saginaw?

A. Yes, sir.

Q. State whether that was read over to him before he signed it.

A. It was.

CROSS EXAMINATION BY JUDGE VAN ZILE.

Q. At whose instance was this meeting convened?

A. I can't tell you. I was notified while I sat in my seat to go into the Speaker's room when the House resolved itself into the committee of the whole on the general order.

Q. Did you find all of the gentlemen you have mentioned in the room when you arrived there?

A. My impression is that they were all there.

Q. Dakin was not there, I think you said?

A. Mr. Dakin was not there.

Q. Did you discuss this matter before you were sent for?

A. I heard the communication read and the roll call was shown me, with the figures, and the members among themselves counseled what to do, and it was decided that Mr. Dakin should be sent for and let him make a statement.

Q. Was there a good deal of excitement at that meeting?

A. No.

Q. Were the gentlemen who were present at all excited apparently?

A. Not very much. Some of them were indignant.

Q. Did they express their indignation?

A. If they did they did it very quietly.

Q. Did they express their indignation after Mr. Dakin came?

A. No, sir.

Q. Who first addressed Mr. Dakin?

A. I think the Speaker showed him the roll call and asked him if he made those marks in figures on the roll call--if those were his figures. I think that was the first question asked.

Q. Was this gentleman Mr. Eaton, present at that time?

A. Yes, sir.

Q. Did he ask any questions?

A. Not then.

Q. Did he at any time during the meeting?

A. He asked some questions after Mr. Herrington got through.

Q. Of whom?

A. Mr. Dakin.

Q. Was that after Mr. Dakin had made his statement or before?

A. That was after.

Q. Did Mr. Dakin answer the questions that he asked?

A. He did some of them, and some of them I think he refused to answer.

Q. Did Mr. Dakin, at that time, appear somewhat excited?

A. I think he was remarkably cool.

Q. Who wrote this statement?

A. Mr. Herrington.

Q. Was it written in long hand, and as it appears now at first?

A. Yes, sir.

Q. There was no stenographer there?

A. No, sir.

Q. Who asked the questions that purport to have been asked and written in the statement here?

A. I think most of the questions were asked by Mr. Herrington, and he took them down in writing.

Q. Does this statement contain all the statements that were made at that meeting by Mr. Dakin.

A. All that I heard. I never saw that until to-day, since that time.

Q. Have you read this over?

A. Yes, sir.

Q. Can you now say that this contains all the statements made there by Mr. Dakin relative to this matter?

A. To the best of my knowledge and belief it does.

Q. Mr. Herrington must have been writing during all the time Dakin was there making his statement concerning the matter?

A. Yes, sir.

Q. Does it contain the questions and answers between him and Mr. Eaton?

A. Shall I state any question Mr. Eaton asked him?

Q. I had not looked it over. If you remember about that I wish you would state.

A. Mr. Eaton asked the question, "What did you say in relation to the Grand army men?"

Q. Does this statement contain all of the statements, questions and answers made between Eaton and Dakin?

A. All that I recollect.

Q. If we read this statement we will find everything that was answered on the part of Mr. Dakin, and every question that was asked him at that meeting? I don't know. I guess you will. I think so.

Q. You think we will?

A. I think he refused to answer some questions that Mr. Eaton asked him.

Q. You think there was not any statement on the part of Mr. Dakin or any question asked on the part of any one of the gentlemen present on that occasion but we will find the answer here?

A. That I will not answer by yes or no, because I cannot. There may have been something asked and answered that was not taken.

Q. Is it not quite probable that there was a good deal of talk there that is not in this statement?

A. I don't think it is—not very much. There was but very little talking done except what was done by Dakin.

Q. Did Mr. Dakin understand that everything he said was to be taken down?

A. It was read over to him.

Q. I understand that, but did he understand that everything he was saying was being written down?

A. I don't know how he could have understood differently.

Q. Did he state it slow, so that it could be written word for word, or is this writing simply the substance of the conversation?

A. I think it is in his own language. I know in one particular when it was read over he wished to have a correction made.

Q. You understand that Mr. Herrington could not have written in long hand unless Mr. Dakin had stated slowly what was to be written?

A. I understand that.

Q. Did Mr. Dakin speak with the usual rapidity that one does in conversation?

A. He answered a question, and after that question was taken he was asked another.

Q. Was the question first written and then asked him?

A. I don't know whether the question was written or not; I think it was; I think in some instances the question was written.

Q. As you look through this will you state whether or not there appear in that statement to exceed half a dozen questions, and I think likely three or four will cover it?

Mr. Conductor Herrington—I object to that; the paper itself will show how many questions.

Judge Van Zile—It certainly will, and I will give it to him for the sake of refreshing his memory.

Mr. Conductor Herrington—I object to that question as incompetent, because the writing itself is the best evidence of what it contains.

The Speaker—The chair is of the opinion that the number of questions can be ascertained from the paper.

Judge Van Zile—I put it for the purpose of refreshing the witnesses recollection.

The Speaker—The witness has not stated how many questions there were.

Judge Van Zile—But the witness has stated this is not stated in narrative form.

A. I see in most places there are answers to questions.

Q. After looking that over can you state whether or not those questions were written and then read over to him, or whether or not that was taken as the substance of the questions or the substance of the answers?

A. I think these were in answer to the written communication as made by Mr. Eaton largely.

Q. It may be true, but there were questions asked him orally were there not?

A. There were some.

Q. And it is pretended that they are written down?

A. I do not know that it is pretended that they are written down.

Q. Is it or not, pretended?

Mr. Conductor Herrington—I object to that. The paper will show for itself.

The Speaker—The paper will show.

Judge Van Zile—Is it possible that the gentlemen will object to my finding out whether this was taken word for word as it would be by a stenographer or whether it is the substance?

The Speaker—He has already answered the question one or twice.

Judge Van Zile—I have not heard the answer.

A. It is taken as he answered.

Q. Word for word?

A. Yes, sir, as I understand, and as he understood it at that time.

Q. I will ask you again if Mr. Dakin on that occasion talked slow so that one could write each word that he said, or whether he talked with his usual rapidity?

A. He did not speak a word and then Mr. Herrington write that word, but he gave his evidence so that it would be taken in long hand as it is taken there.

RE-DIRECT EXAMINATION BY MR. HERRINGTON.

Q. State who first began questioning Mr. Dakin ?

A. Mr. Markey did.

Q. State whether any others than Mr. Markey and Mr. Herrington questioned him. To refresh your recollection state whether Mr. Diekema asked him questions.

A. I think Mr. Diekema did ask him some questions.

Q. To refresh your recollection further, state whether Mr. Manly suggested a question.

A. Yes, sir ; Mr. Manly asked him a question. I am not certain but what I did.

Q. State where Mr. Herrington sat when he wrote this?

A. He sat at the table in the Speaker's room, on the west side of the table.

Q. Where did Mr. Dakin stand with reference to Mr. Herrington?

A. He sat at the end of the table.

Q. How many feet away?

A. Three and a half or four.

Q. State if he could see what was being written?

A. I think he could if he had wished to.

Q. State whether after a question was asked the answer was taken down before another question was put?

A. It was.

Mr. Herrington—I now offer in evidence this statement.

The statement was read by the clerk as follows:

“ Mr. Markey shows Dakin slip and asks:

Are those figures in your hand writing?

A. Those figures are mine. I wanted money to get together and have a social time with you fellows and talk over our bill. This occurred down here in a saloon in Lansing. Mr. Fellows, ex-alderman, Mr. David Crowley, Recorder of Saginaw, Mr. Eaton, and myself were present. That is what I said. I considered you men were the leading men of the House. I never spoke to any of you men about the bill or about any money. My association with you gentlemen is such that I do not think you could be bought. I did it on purely business principles. The mayor gave me two dollars to buy some beer with. This was yesterday morning. The mayor handed Fellows \$5 as Fellows told me. I assure that it was done as a business matter. I told Mr. Eaton that I did not want the money to bribe anybody. I wanted to get our charter through and I wanted some money. I put down the amount I expected I would need. I put down different amounts according as I thought you gentlemen had influence in the House. I did not say that when I found a man who would not take the money I would send him to Fellows. I thought I would need the money because there was a fight between Saginaw City and East Saginaw. I intended to use the money principally at one feast. I intended to have this feast down at the Eichle House. I did not tell Eaton that I intended to have a feast. I have not known of money being used here this winter in the way I proposed. The figures on that slip are in my hand writing. I expected that what I told Eaton would be confidential between him and myself. I think Mr. Eaton intimated that he would try to get the money. Mr. Fellows said he had used some of his money. Mr. Herrington never said one word to me alone since I met him. We have never

talked together except in a crowd. I have never been out with any of you gentlemen present, to-wit: Speaker Markey, Diekema, Rumsey, Bentley, Dunbar, O'Keefe, Burr, Manly, Baldwin, S. Baker, McCormick and Herrington; and I never treated any of you gentlemen. I told Eaton that I wanted the money to get together with you boys, and that I wanted the money to buy cigars and buy something to drink. I don't know as any of you gentlemen drink liquor. I know of some who smoke. I have never seen any of you gentlemen drink but Mr. O'Keefe. I have drank with him. I have seen three of you men smoke, and no more. I considered this an honorable thing to do. I did not intend to let you know whose money you was feasting you. I did not intend to speak of the bill in connection with the feast. I did not expect this feast would influence your votes at all. I did not have the intention of influencing your votes by this feast only casually, I expected the mayor of Saginaw would raise this money. I expected him to hand the money to me. I told Mr. Eaton that he, Eaton, if he had any money, could hand it to Fellows, and I would get the money of Fellows. I do not think it would be wrong to take this money, even though I did not expect to influence votes.

QUESTIONED BY MR. EATON.

Q. State what you said about Grand Army members.

A. I made no statement about them. I am too much of a man for that.

Q. Do you remember the remark Mr. Crowley made when you said it would take \$25 to buy Rumsey?

A. I made no such remark. Did not see you in the capitol yesterday morning. I had no talk with you at all.

Q. Did you not say that the mayor did not bring down any money and he had gone back to get some.

A. No; I told Shackelton, the mayor, and Fellows to come down here. I have not seen any money used here at all this winter. It was all in good faith on my part. I even went so far as to say that there was no bribery. Everything I did was done conscientiously. I am on friendly terms with Crowley and Fellows. They would make an honest statement. The mayor would make an honest statement. I simply intended to have at the feast the persons whose names I mentioned on that slip: S. Baker, 5; Baldwin, 5; Bentley, 5; Burr, 5; Crocker, 10; Diekema, 10; Dunbar, 5; Engleman, 5; Herrington, 10; Manly, 10; McCormick, 5; O'Keefe, 5; Perkins, 10; Rumsey, 25; T. H. Williams, 10. These figures are intended to represent dollars. I intended to use this number of dollars. I did not intend to have any others. I put those amounts so that if I went out separately with you men I could keep track of the expenses. I expected to go out alone with no particular person. Mr. O'Keefe is the only one I ever spent any money with, and that was only in the way of a social drink. I never said anything to Mr. O'Keefe about this charter.

The above is a correct statement so far as I know.

MILO H. DAKIN."

Mr. O'Keefe—Mr. Speaker, I wish to inquire if that statement is to appear on the Journal?

The Speaker—The paper has been received in evidence and will appear at length upon the Journal.

Mr. O'Keefe—I desire to enter my protest against that statement being received and printed as a part of this case, as it is not, as I understand, a

sworn statement. I desire, and I have offered, that Mr. Dakin and myself be sworn in regard to the statements contained in that paper.

Mr. Herrington—We will have Mr. O'Keefe sworn at once.

Richard O'Keefe, being duly sworn, testified as follows:

Examined by Mr. Herrington.

Q. You may make any statement that you desire in connection with this matter.

A. I understand from the statement made by Mr. Dakin, that it is generally understood and probably pretty well understood throughout the State that I have taken a drink. He also says that he treated me, or drank with me. I haven't any recollection of ever having drank with Mr. Dakin, and the only time I was ever in his company was some three or four weeks ago. Coming from breakfast one morning, I met him on Michigan avenue and asked him if he would go in and have a cigar—this is my recollection—and we went in and I took a cigar myself. I don't know what Mr. Dakin took; my recollection of the matter is that I paid for it myself. I haven't any recollection ever of having been in any place of that kind with Mr. Dakin, or being in his company probably ten minutes when he was here two years ago and this session so far. I have always looked upon Mr. Dakin as being an honest man as I supposed. I never was thrown in contact with him and never had and conversation in particular with him. I make this statement wishing to appear right in this matter of the drink. I have found out to-day that there are some others here that drink, as well as I, but I don't like to go before the public so ridiculously as it appears to me I have been brought before them in this paper that has slipped out of the hands of the fifteen that were marked on this list. When we were together there, after Mr. Dakin made his statement, I asked some of the persons present if this was to go to the papers. That if it was to go to the papers, I preferred having it in a different shape. My intentions at that time were that if it was going to the papers, that Mr. Dakin and I should both be sworn upon that particular point, and I was promised by some of them that it should not go to the papers. Yet the next morning I found my name in very bold letters at the bottom of a statement.

CROSS-EXAMINED BY MR. HOLDEN.

Q. Do you understand from this that Mr. Dakin alleges that you have taken anything intoxicating, when you speak of drink?

A. Yes, that is the way I generally understand it.

Q. And you understand it in this sense, do you, and that he intended it in that sense?

A. Yes, sir.

Q. You understand that he charges in this matter that it was while this charter was pending, or in consequence of that in any way?

A. The inference might have been drawn that that was the case, I think.

Q. His statement as given in the committee room before a number of you gentlemen and the honorable Speaker, is not complete, is it? It is somewhat broken and disconnected?

A. I don't know as to that. The questions were asked and the answers taken, and I don't know how fully they were taken. I think they were taken down as well as could be done in that way.

Q. You do have a recollection of going in and asking Mr. Dakin to take something, do you?

A. I think I do.

Q. And you say you are unable to state now from your recollection whether he drank or what he drank?

A. I don't remember.

Q. He may have drank at that time?

A. He may.

Q. Now, inasmuch as you asked for the special privilege of explaining, I desire, upon the part of Mr. Dakin, to say to you in the presence of the House and to go upon the record that Mr. Dakin never intended by the statement to lead any inference whatever that this had anything to do whatever with the charter bill or any other bill pending, but was merely in the way of a social gathering?

A. Well, he made that statement there as it appears.

Q. And that he does not intend to charge you with being a person who drinks intoxicants to excess by any means. You have served with him two years ago also in this House?

A. Yes, sir.

Q. Did not he then and until this charge was brought against him bear the reputation of being a scrupulously honest man?

Mr. Herrington—Do we understand that they now make the witness their own?

Mr. Holden—I am questioning him in regard to his statement.

Q. Is not that true?

A. I never heard anything of Mr. Dakin but that he was supposed to be an honest man.

Q. He was so regarded by other members?

A. I understood it so.

Q. Mr. Dakin was not regarded as a drinking man either, was he?

A. I never understood that he was.

Q. You never saw him intoxicated?

A. No, sir; I wish to say further that this time I refer to as going in and taking a cigar and asking Mr. Dakin to go in, was as far back as the first of this month, probably, and that there was not any of that two dollars that he speaks of for my expenses.

Mr. Chapman offered the following:

Resolved, That this House suspend Rule 1 and take a recess until 7.30 this evening.

On motion of Mr. Jones,

The resolution was laid upon the table.

On motion of Mr. Haskins,

The House adjourned.

Lansing, Wednesday, April 27, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Roberts.

Roll called: quorum present.

The House resumed the investigation of the charges against Representative Dakin.

The Speaker—The Chair this morning deems it proper to call the attention of the members and those present to the importance of not allowing themselves to make any demonstration here of their feelings during the trial of this case.

The members of the committee will now proceed with the investigation.

Mr. Conductor Herrington—I am informed by the stenographers that there is an error in the printed Journal of yesterday's proceedings at page 1018, in the second question put to Mr. Rumsey. It reads "Were you present in the Speaker's room on the 19th day of April, 1887?" It should read "Were you present in the Speaker's room on the 20th day of April, 1887," and the answer should read "On the 20th." The mistake was made at the printing office.

TESTIMONY OF JAY SMITH.

Jay Smith, being duly sworn, testified as follows:

EXAMINED BY MR. SNOW.

Q. Where do you reside?

A. City of Saginaw.

Q. What is your age and occupation?

A. My age is 64, and my occupation is druggist.

Q. How long have you resided in the city of Saginaw?

A. Thirty-five years.

Q. Where were you on the nineteenth of this present month shortly after 10 o'clock in the morning?

A. I was for a short time here in the capitol building. I came here with Mr. Eaton.

Q. Did you arrive here at Lansing on the morning train from Saginaw?

A. Yes, I did.

Q. About what time did you reach Lansing?

A. I have no means of knowing except by the arrival of the train. We came in on the train coming from Saginaw in the morning.

Q. Shortly after your arrival in this city where did you go?

A. We came from the train up town and I stopped for a moment in Mr. Wells's drug store.

Q. From there where did you go?

A. I went directly to the capitol.

Q. Did you meet anyone with whom you were acquainted when you reached the capitol, and if so, who was it?

A. I found Mr. Eaton on the steps of the capitol. We came up into the corridor and there we met Mr. Dakin and Mr. Fellows.

Q. Did you have any conversation with Mr. Dakin or the parties you met there?

A. I think as far as I am concerned I had no conversation except to accost them as we came in.

Q. Did you hear any conversation between the parties there assembled?

A. I did.

Q. Who was present?

A. Mr. Eaton, Mr. Fellows and Mr. Dakin.

Q. Mr. Eaton, yourself and Dakin?

A. Yes, sir.

Q. Any one else?

A. No, sir.

Q. Was Fellows there?

A. Yes, sir, Mr. Fellows.

Q. Yourself, Dakin, Eaton and Fellows were present?

A. Yes, sir.

Q. Did you stop there and enter into a conversation there with them, yourself, or they among themselves?

A. I was there for a few moments.

Q. You may state now what if anything you heard said to any one present there relative to procuring money for certain purposes?

A. Following some conversation with Mr. Eaton in regard to the Saginaw charter bill he stated—

Q. Who stated—Mr. Dakin?

A. Mr. Dakin.

Q. Now narrate as fully as you can all that you heard said, and tell us who said it?

A. He told Mr. Eaton that nothing would be done on the charter business that day. I think in answer to an inquiry from Mr. Eaton he stated that Mr. Shackelton had gone back to Saginaw to procure some money.

Q. Did he say for what purposes?

A. I will come to it in a moment. He stated that he expected Mr. Shackelton would fetch some money with him, but he only brought a little. He had given him some but it did not amount to anything, it was all gone. Mr. Eaton then asked him what he wanted to do with the money and he said he wanted to use it in getting the charter bill passed the House. Mr. Eaton asked him what the trouble was, whether there was any difficulty with the committee or whether he wanted to use the money with the members of the House. His answer was that he wanted to use it with the members of the House.

Q. Did he say that he wanted to use it with the members of the House for the purpose of getting the charter bill through the House? Was that the language that he used?

Mr. Dodge.—I object to that method of interrogating the witness; it is leading.

The Speaker.—Let the witness tell what took place, what was said.

A. Mr. Eaton asked him if he meant to be understood that there were legislators whose votes could be obtained by the use of money. His answer was, "Of course."

Q. What further was said, if anything?

A. I don't remember anything while I was there. I think I then left and came up into the hall and left Mr. Eaton with Mr. Fellows.

Q. Was there anything said at that time by Mr. Fellows?

A. I think Mr. Fellows had nearly nothing to say during the conversation. I know it struck me that he was quite discreet.

Mr. Conductor Snow—That is all with the witness.

Mr. Conductor Herrington—I should like now to have the stenographer read the testimony to the House. I don't think the members have heard any part of it.

The Speaker—Let the testimony be read.

The official stenographer read the testimony of the witness as given above.

Q. I call your attention to this fact. Do you recollect during that conversation of Dakin saying that Shackelton had given them some money, but that it did not amount to anything; that it was all gone?

The Speaker—He has already stated that.

A. Yes, sir.

Q. He did not state how much money Shackelton had given him, did he?

A. I don't recollect that he did.

CROSS-EXAMINATION BY MR. HOLDEN.

Q. Did he state in what particular manner the money would be expended?

A. No, sir.

TESTIMONY OF DAVID CROWLEY.

David Crowley being duly sworn, testified as follows:

EXAMINED BY MR. CONDUCTOR GOODRICH.

Q. Where do you reside?

A. Saginaw City.

Q. How long have you resided there?

A. Twenty-one years.

Q. What is your business?

A. Hotel, at present.

Q. I will ask you if at any time you have been interested in the passage of the amendment to the city charter of the city of Saginaw during the present session of the Legislature?

A. Yes, sir.

Q. Have you at any time been down here to the capitol on that business?

A. Yes, sir.

Q. When was it that you were here?

A. I think I was here four times in the interest of the charter. I cannot remember the dates, except the last time I was here before this time.

Q. Were you on or about the 19th of the present month?

A. I was here on the 19th of April.

Q. What time did you arrive in Lansing on the 19th of April?

A. About 10 o'clock in the forenoon.

Q. Who was in company with you at that time?

A. Mr. Jay Smith, Mr. Eaton and I think Mr. Snow and myself walked from the depot to the corner at the City National Bank and we parted there.

Q. Where did you go?

A. The first thing I did I went to the Savings Bank and telephoned to Mr. Barnes that I wanted to see him that day.

Q. Who was with you when you went to the Savings Bank?

A. There was nobody. I left Mr. Snow on the corner.

Q. What did you do?

A. After I telephoned I got word from Mr. Barnes that he would meet me

between one and two, and I had nothing else to do, and I went down toward the Eichle House.

Q. Whom did you meet if anybody?

A. Not anybody that I knew. On my way back, at the corner at the City National Bank I met Fellows and Mr. Dakin. They were coming apparently from the Capitol.

Q. Did you have at that time any conversation with Mr. Fellows and Mr. Dakin?

A. Yes; we met and shook hands. Some words passed I think, and I asked him how things looked for the charter?

Q. You were acquainted with Mr. Fellows and Mr. Dakin, were you?

A. Oh, yes.

Q. How long had you been acquainted with them?

A. I guess I have known Mr. Dakin four or five years and Mr. Fellows ten or twelve.

Q. Where did they reside?

A. In Saginaw City.

Q. Go on and state what that conversation was that you had with them at that meeting?

A. I think Mr. Dakin replied to my answer about the charter, he said things looked good, but there would be nothing done to-day, as Shackleton and Linton had gone to Saginaw.

Q. Did either of them say what they had gone to Saginaw for?

A. Yes, I think Mr. Fellows took a document out of his pocket with some writing on it and said that Linton and Shackleton had gone to Saginaw to make some arrangements in regard to Florence, that Linton had promised Shackleton that if he would agree to some matters in the interest of Florence, in regard to some improvements that ought to be made upon it provided it came into the City of Saginaw and pay for some improvements already made for Carleton, that he would not interfere with our charter, providing Mr. Dakin would assist him in this charter.

Q. What was said in relation to the Mayor's going there?

A. Then I think Mr. Dakin said "We ought to have some money to-day." I says "What to do?" He says, "Well, to work while Linton is away."

Q. To work at what?

A. I don't know as it was said any more than the supposition was in the interest of the charter.

Mr. Dodge—Never mind what the supposition was.

A. Well, he said they ought to have some money to work to-day while Linton was away. Shackleton came here yesterday and only had \$10.

Q. Who said this?

A. Mr. Dakin, I think.

Q. What did he say Mr. Shackleton had done with the \$10?

A. He did not say. He said "That was no good." He says, "Mr. Fellows spent \$30 yesterday and I spent five or six, all I had."

Q. He said that Mr. Dakin spent \$30 yesterday.

A. No, Mr. Fellows.

Q. Mr. Fellows spent \$30 yesterday and he spent five or six dollars, which was all he had.

A. Yes, sir.

Q. Then what did you say in response to that, if anything?

A. We moved a little ways from the corner where we were standing down towards the river and stopped again. I says, "Is it usual to use money in such a way? Can money be used in such a way as this in getting this matter through?"

Q. What did these gentlemen say in reply to that, if anything?

A. They said "Certainly, why yes."

Q. Who said that?

A. I think Mr. Dakin.

Q. What else was said?

A. Mr. Fellows said something about G. A. R. men. He said there were some members here in circumstances about like himself and that if he had some money he could make it pleasant for them.

Q. Did he say in what way he intended to make it pleasant for them?

A. In the way of sociability I should judge from what he said.

Q. Was there anything else said upon that occasion?

A. Mr. Eaton I think came in sight then, coming across the street. I noticed him, and I says "Here is Mr. Eaton, you can talk this matter with him fully; he has had more charge of the thing than I have, probably he can decide quicker for you."

Q. What was said then?

A. Mr. Eaton came up and I opened up the subject then. The conversation had been going on between me and Dakin and Fellows, and I kind of dropped out of it then. There was a good many people passing on the street, and I think Mr. Eaton said, "Can not we go and sit down some place?" I am not certain, but I think it was him that suggested that we should go and sit down some place. I says "Yes, let us go in here to Cottingham & Davis."

Q. Where was that?

A. I think they called it the Windsor saloon and restaurant. So I led the way and went into a little room, I think it is off of their dining room, back of the bar room and we went in and sat down there. There was a couple of chairs in there and a table, and we got two chairs more and sat down by this table. Mr. Dakin and Mr. Eaton sat on one side of the table and me and Mr. Fellows on the other side. So the conversation ran between Eaton and Dakin.

Q. How many were there there at that time in all?

A. Four.

Q. Relate the conversation that was had between you all and between Mr. Eaton and Mr. Dakin.

A. Mr. Dakin and Mr. Eaton commenced talking in regard to the conversation on the streets, and I think somebody connected with the saloon came to the door and put his hands on the disc like that, "Anything wanted, gentlemen?" I says "Yes, let us have something." And he took the order for what we would have to drink and brought it in.

Q. What did you order, if you remember?

A. Yes, I think there were three of the party took whisky and one took sour wine.

Q. Who took sour wine?

A. Mr. Dakin.

Q. Go on and relate the conversation that was had there?

A. Mr. Eaton and Mr. Dakin commenced talking about this money matter again, and Mr. Dakin put on a kind of careless air——

Mr. Holden.—Never mind, just state what he said.

A. He put on a careless air and said, "If you don't want to give me the money you can give it to Mr. Fellows."

Q. What did Mr. Eaton say in reply to that?

A. I think he said then "What will you do with it?" He says "I can see a man and talk with him and then I can send him to Fellows." He says "All those fellows like a good time, they like a cigar and like a glass of wine or something, and it is pretty hard to go around among people without having a little money."

Q. Did Mr. Eaton ask Mr. Dakin how he expected to use this money?

A. Yes, I think he did.

Q. What was the reply to that?

A. As I said before, he would send some of them to Fellows, and other he could see them in a social way, and he meant as if he would spend the money in sociability with them, and I think Eaton said, "Who are these men you want to see?" and he commenced naming over, and he progressed so slowly that Eaton says, "I have got a roll-call here," or something to that effect, and pulled it out and laid it on the table, and Mr. Dakin took and looked it over, and they were on the other side of the table from where I sat. He looked it over, and he commenced naming over the roll-call, and Mr. Eaton suggested, "Just check those over that would be necessary to be seen." Mr. Dakin I think said, "There are some checks on here already." And Eaton says, "Well, check on the other side." So he commenced, checked along; I don't know how many checks he made; I didn't see the roll-call only at a distance of two or three feet away, and Eaton says "Just put opposite those names the amounts necessary to see those men with."

Mr. Dodge—The witness mentions that Mr. Eaton took the roll call out of his vest pocket. Do you wish to be so understood?

A. I wish to be understood that Mr. Eaton gave Mr. Dakin a roll call.

Mr. Dodge—From his vest pocket?

A. From some pocket, I could not tell where it came from, I would not be positive. He took it from some pocket anyway. He made some motions to look for it. In the meantime, when they spoke about the roll call, I had one in my possession that I have had for some time.

Q. I will ask you how you came by that roll call?

A. I think it was from a suggestion of Mr. Little here. Mr. Little said we ought to get a roll call, and we got them through him from somebody here.

Q. For what purpose did you obtain these roll calls?

A. The purpose was suggested by Mr. Little that persons that we were acquainted with—

Judge Van Zile—I object to it. I can hardly see the relevancy of going into this matter.

Mr. Conductor Goodrich—I should like to state the reason why I asked the question. It appears to us here that the whole line of their defense, so far as this is concerned, is to show that Mr. Eaton and Mr. Fellows procured these roll calls for a purpose, and that that purpose was to lead Mr. Dakin into difficulty. Now, we propose to show for what purpose they obtained these roll calls.

Judge Van Zile—We disavow any such purpose. We understand that anybody can get a roll call, and that it is not a badge of fraud on the part of any man that he has got a roll call in his pocket. To go into this matter of what Mr. Little said about the roll call is entirely irrelevant.

Mr. Conductor Goodrich—I understood this to be the line of defense marked

out by Brother Dodge, that he indicated in the cross-examination of Mr. Eaton. He was attempting to show, as I understood it, that he procured this roll call for a purpose.

Judge Van Zile—There isn't any idea of trying prove that he procured a roll call for a purpose. The idea is that he had a roll call, and used it for a purpose. Not that he procured it for a purpose. Every body has a roll call; here is a roll call; there are roll calls all over this House. It is a mere assumption to say that we claim it was procured for a purpose.

Q. For what purpose did you use the roll call?

Judge Van Zile—I can hardly see the relevancy of that.

Mr. Conductor Goodrich—The gentleman says that it may be used for a purpose, indicating very strongly that perhaps this may have been used for a purpose.

Judge Van Zile—I hardly think it is possible that my friend can misunderstand me in that way. It was not that it could be used for a purpose, but only that Mr. Eaton had used it for a purpose. The House can tell what the facts are.

Mr. Conductor Goodrich—I submit it is a proper question.

The Speaker.—Ask the question.

Witness—I used it if I met a member and talked with him; I would judge from his views whether he was friendly towards the passage of the charter of Saginaw City or not. If he was I would check him and if he was against us a bitter enemy, if he said that our measure could not be granted I would also make some memorandum, you know. I might talk with other friends here who would see and reason with him, so we could explain this matter more fully probably than he understood it.

Q. Go on and state what was done with that roll call at that place?

Mr. Conductor Diekema—Which one?

Mr. Goodrich—The one that Mr. Eaton had at that restaurant.

A. After Mr. Eaton told him to set the amounts opposite those names that he had checked, Mr. Dakin used the pencil, made some marks or figures; I can't tell what they were because I did not look over it. It was on the other side of the table. Apparently as he finished he passed the roll call or a paper very like that and stated "There is one man who ought to have \$25.00."

Q. Who said this?

A. Mr. Dakin.

Q. Who was that man?

A. Mr. Rumsey.

Q. A member of this Legislature?

A. Yes, sir.

Q. What did Mr. Eaton say in reply to it?

A. I don't know as he said anything.

Q. What did you say, if anything?

A. I think I said "What, Rumsey \$25?" He said "Yes, he will be a very valuable man if you can secure him for that."

Q. Was there anything further said by Mr. Dakin in relation to this particular matter?

A. He and Eaton kept on talking some further I think, but I cannot place anything nor remember anything that took place of any importance after that. I think dinner was called at about that time. There are curtains that draw together, and the man who keeps the house came in and drew them together,

and we thought probably we had occupied the apartment long enough and got up and came out on the street and we parted on the corner there.

Q. Do you remember of seeing the amounts set opposite those names upon the roll call?

A. No, sir, I never saw the roll call only at a distance. I could not tell the names that were checked.

Q. Were they read over in your presence?

A. I think between Mr. Eaton and Mr. Dakin they looked them over. I did not, nor Mr. Fellows, pay much attention to it while they were doing that.

Q. Was there any other or further conversation there at that restaurant between you gentlemen in relation to this matter?

A. Not that I remember. I think not.

Q. What was the condition of Mr. Dakin at that time?

A. In what way do you mean?

Q. So far as being sober or under the influence of liquor or otherwise?

A. He was sober.

Q. You say you have been acquainted with Mr. Dakin for four or five years last past.

Q. Is he a man in the habit of becoming intoxicated?

A. I never heard so and never saw him so.

Q. Generally considered a sober man, is he?

A. Yes, sir.

Q. How many times did you see him drink upon the 19th of April?

A. Twice.

Q. What did he drink each time?

A. Sour wine. Catawba they call it I think.

Q. Did you meet Mr. Dakin at any other time during that day after his conversation at the restaurant?

A. Yes, sir.

Q. Where?

A. In the evening, I think about five o'clock, I came up to the capitol and he and P. C. Andrews, of Saginaw City, were talking there, and Dakin and Fellows and a man by the name of Tillotson, and I stopped a few moments, had not a great deal of time to spare to go back to the train, and I wanted to go home that evening. It was nothing more than good-bye or something like that.

Q. You had no other conversation with him that day in relation to this charter matter or the procuring of money?

A. No.

Q. Did you state all that was said in relation to the mayor going up to Saginaw for money or that they expected money from the mayor?

A. I don't believe that I stated that. I think they said Shackleton had gone to Saginaw with Linton and they wanted him to telegraph some money, or he suggested he would or something like that. There was something said about money by telegraph. I don't remember just how it was.

Q. By whom?

A. By Dakin and Fellows both, I think.

Q. They stated that they expected money from the mayor, did they?

A. Yes, sir.

Q. By telegraph or otherwise?

A. I think by telegraph.

Q. For what purpose do I understand you?

Mr. Dodge—We object to the question as incompetent.

The Speaker—If they stated the purpose he can testify.

A. Before they spoke about the mayor going to Saginaw they stated that they ought to have some money to-day to work with the members, as Linton was away.

Q. They stated they ought to have some money to-day to work among the members as Mr. Linton was away ?

A. Yes, sir.

Q. Do you know why they wanted it on the 19th because Mr. Linton was away ?

The Speaker.—Did they state the reason ?

A. I could not say positively whether they did state the reason or not.

Q. I will ask you if you do not know that Mr. Linton was somewhat in opposition to the bill before the Legislature, the charter ?

A. Yes, I have been told so.

Q. I will ask you whether you did or did not understand at that time that this was the reason why they wanted the money to use upon this particular occasion, because Linton was opposed to the amendment to the charter and was away ?

Mr. Dodge.—We object to that.

The Speaker—You need not answer that question.

Q. I will ask you if you have any ill will or ill feeling toward Mr. Dakin, the respondent in this case ?

Mr. Dodge—We object to that.

The Speaker—What is the objection ?

Mr. Dodge—It is not material whether he has any ill will or friendly feeling. We are not raising that question. It has not been raised. If we undertook to show that on the cross-examination we would have a right to do so, but this is not the proper proof on the direct examination with their own witness.

Mr. Conductor Goodrich—I will ask the gentleman where he gets his knowledge from—why we have not the right to ask a question of that character ?

Mr. Dodge—I shall be pleased to inform the gentleman after we adjourn.

Mr. Holden—Greenleaf on evidence.

Mr. Conductor Goodrich—He has given evidence which this House has listened to and it is for them to consider whether it is for or against the respondent. It is the duty of this House to know if possible whether this man has any ill-will or feeling towards the respondent, and if we can draw this out from the witness it is our duty to do so and it is our prerogative. It is our right to ask this witness the question if he has any such feeling. There is an inference drawn, and inasmuch as the line of defense ran in that direction yesterday in the examination of Mr. Eaton—

Mr. Dodge—I object to the statement made by counsel. I think it entirely out of order. It is an argument addressed to the members of the House. It is not for the enlightenment of the Speaker to rule upon this question. It is one of those harangues for the benefit of the House.

Mr. Conductor Goodrich—If it is offensive to the House, and if the members of this House are afraid to hear I hope they will stop their ears. I am addressing this to the Speaker who is the one to decide, and when I ask a question of this kind and an objection has been made, I have the right to state why I ask the question, and the gentleman has the right to oppose it if he wishes. I say that the line of their defense ran in that direction yesterday. They were trying to draw from Mr. Eaton that he had animus, and that he was following

the respondent. And this will be the line of the defense all the way through, and we have the right to anticipate it, and I say that I know of no rule that prohibits the examining committee in relation to this matter to ask this witness the question upon direct examination whether he has any feeling in this matter or not. We are afraid—I openly and boldly make this assertion that we are afraid that the defense will not ask this gentleman this question. If we thought they would ask the witness this question, whether he had any animus or ill-feeling towards the respondent, we would not press this question any farther. But inasmuch as we fear that they will not ask the question we think we have the right to ask it on direct examination, and shall urge that it be answered.

Mr. Van Zile—It occurs to me that that is rather a strange argument in the light of the authorities upon evidence that are so well written and so well understood by lawyers. Now, what is the presumption? The presumption is, if your honor please, that the witness sits there entirely impartial, to tell us the truth as it occurred. What is the office of the cross-examination? The office of the cross-examination would be to sift him, and if there was anything that would contradict the presumption, to show it. Why, my friend might as well stand before this House, or before a court of justice and insist that he could ask the witness if his reputation in the neighborhood where he resided was good for truth and veracity, or that he might call witnesses to show that it was. And whoever heard of such a thing, that you could impeach or even sustain the character of your own witness?

It might be possible that it would run through the mind of my friend that possibly the defense would not undertake to impeach the witness, and he might be anxious that the House should understand that the witness is a man of good character and reputation in the community for truth and veracity. Why, such a thing as that it seems to me runs counter to all the authorities upon the law of evidence. That is entirely a matter of cross-examination. Everybody is presumed to know—it is a presumption that the law lays down—that that man sits there an impartial witness. Nothing in the line that my friend speaks of should frighten him, that this side would not ask this witness that question. Why, we need not ask it or we may ask it. It does not make a particle of difference. If we do not ask it the presumption is that he is impartial unless there is something in his testimony that has proven that he was not. I never yet heard—of course my experience is not so broad perhaps as that of my friend—but I never yet heard of such a question as that being asked and sustained in a court of justice. “Have you any ill-feeling?” Why, it is slapping the law in the face. It is running counter to the very theory and idea of the law of evidence.

The Speaker—The objection is sustained. The chair will ask this question, which has been handed up: Was there any promise of money made by you or Mr. Eaton to either Mr. Dakin or Mr. Fellows at the time of the meeting in the saloon or at any time prior, to your knowledge, by any other person?

A. No.

Q. Did Mr. Dakin say or intimate that he could buy Mr. Rumsey's vote or influence for \$25?

Mr. Holden—I object to that part of the question in which he is asked for an intimation. That is asking for the conclusion of the witness. The question is proper if it asks what was said upon the subject, to allow this House to judge of what was meant by it. The members of this House are here to weigh the vote, to get their inferences and not the witness'.

Mr. Conductor Herrington—What was the question?

The official stenographer read the question as follows: "Q. Did Mr. Dakin say or intimate that he could buy Mr. Rumsey's vote or influence for \$25?"

The Speaker—The chair is of the opinion that the objection is well taken, to that part of the question. The question was sent to the chair by one of the members of the House. Mr. Crowley may answer whether Mr. Dakin did say that he could buy Mr. Rumsey's vote or influence.

Mr. Van Zile—If he used that language there is no objection to it.

A. No, he did not.

Q. You say that Mr. Dakin did not say that he could buy Mr. Rumsey's vote or influence for \$25?

A. No.

The Speaker read the following:

Q. Then what reason did Mr. Dakin give for putting that amount opposite to Mr. Rumsey's name, it being larger than the other amounts.

A. I thought I stated that. As he finished up making those figures and passed the roll-call over like that (illustrating), I don't know whether the figures "25" were there or not, but he made the remark "There is a man that ought to have \$25." I said "Who is that?" He said "Mr. Rumsey."

The Speaker—Did he assign any reason?

A. No.

Mr. Conductor Goodrich—Was there any other conversation that you remember of that was had upon that occasion between Mr. Eaton and Mr. Dakin in your presence in relation to this matter, that you have not stated?

A. Not that I remember of now.

Mr. Conductor Goodrich—That is all. Take the witness.

The Speaker read the following:

Have you at any time during the present session of the Legislature heard the name of any member of the House mentioned by Mr. Dakin, or in his presence, in regard to the use of money in connection with any matter of legislation pending in this House other than as stated in connection with the fifteen members already specified?

A. No.

CROSS-EXAMINATION BY MR. HOLDEN.

Q. This occasion of your coming to Lansing was the fourth of the kind, was it?

A. The fourth time.

Mr. Manly—I would like to ask a question in connection with the one I sent up a moment ago, if I have time to write it down.

The Speaker—Send it up and it will be asked afterwards.

Mr. Holden—I will suspend.

Mr. Manly—I wish to add to that question, "or any one of the fifteen marked on that paper?"

The Speaker—Let the question be read.

The official stenographer read the question as amended, as follows:

Q. Have you at any time during the present session of the Legislature heard the name of any member of the House mentioned by Mr. Dakin, or in his presence, in regard to the use of money in connection with any matter of legislation pending in this House other than as stated in connection with the fifteen members already specified, or any one of the fifteen marked on that paper?

A. Not up to that time.

Mr. Holden—I will resume my cross-examination.

Q. You were at that time the Recorder of the city of Saginaw, were you?

A. Yes, sir.

Q. You had recently been elected?

A. Yes, sir.

Q. I do not suppose for one moment that you came here with any evil intention upon the Legislature did you?

A. No, sir.

Q. And you did not suppose that any one with whom you were associating had any evil intention, did you?

A. No, sir.

Q. Do you not claim to have manhood enough within you had you believed that a crime of that kind—that is, attempted bribery—was intended, to have rebuked it then and there?

A. Yes, sir.

Q. You would have rebuked it?

A. Yes, sir.

Q. If you had understood that any bribery was intended?

A. Yes, sir.

Q. And would you not, if you had supposed at that time that anybody was trying to make you a party to it have rebuked it instantly?

A. Yes, sir.

Q. And most effectively?

A. Yes, sir.

Q. Now as I understand it is a fact that you did not rebuke Mr. Dakin's course at that time?

A. No, sir.

Q. It was then because you did not believe that he intended any harm, was it not?

A. Yes, sir; I did not believe he intended any harm.

Q. Nor I. Now when you first came here on that morning you met Mr. Dakin and Mr. Fellows?

A. Yes, sir.

Q. Where?

A. At the city National Bank corner down here.

Q. Where did you go then?

A. We went into Cottingham & Davis', into the Windsor restaurant.

Q. The saloon part?

A. Yes, sir.

Q. I suppose being Saginaw friends meeting that you took a drink?

A. Yes, sir.

Q. That is proper for Saginawians. Then you had a talk with them in regard to matters?

A. Yes, sir.

Q. And soon after met Mr. Eaton?

A. Yes, sir.

Q. And Mr. Eaton suggested the propriety of going in somewhere and sitting down?

A. Yes, sir.

Q. And they went in and another drink was had?

A. Yes, sir.

Q. There was no one present but these four?

A. No, sir.

Q. And there was no impression or inference formed in your mind that Dakin intended to bribe any one at all, was there?

A. I could not say there was; no, sir.

Q. If there had been you would have rebuked it, would you not?

A. Yes, sir.

Q. You would have put a stop to it?

A. I would.

Q. In your hotel at Saginaw, I suppose, of course, you keep a bar?

A. Yes, sir.

Q. And in your acquaintance with Mr. Dakin has he at times been at your hotel—dropped in casually?

A. I don't remember ever seeing him in my house.

Q. Did you ever see him take a drink of anything that was stimulating until here in Lansing?

A. Well, he has drank with me once or twice before, but what he drank I could not tell. It was home, in Saginaw.

Q. Wasn't it some light drink, like pop?

A. I could not tell what he drank. I think I remember the place where it was, but I don't remember what he drank.

Q. In any event, he was not regarded as a drinking man?

A. No, sir.

Q. Nor a bad citizen in any way?

A. No, sir.

Q. He was regarded as an honest man, wasn't he?

A. Yes, sir.

Q. Entirely so?

A. Yes, sir.

Q. You never heard anything against his character until this matter came up?

A. Not until this matter in the Legislature.

Q. You have been an alderman of the city?

A. Yes, sir.

Q. Were you this last year?

A. No, sir.

Q. Were you one of the committee selected to come down here in the interest of the Saginaw City charter?

A. Yes, sir.

Q. Do you know that two charters were presented?

A. Yes, sir.

Q. Is it not a fact that some feeling on the part of the members of the committee—I do not include yourself, I exclude you from this question—arose in regard to Mr. Dakin's course in the matter?

A. I don't know as I ever heard it expressed.

Q. Don't you know that some members of the committee were offended because he had not aided them in their particular charter as they thought he ought?

A. There was some talk pro and con. It was not directly at Mr. Dakin, you couldn't tell who it was. They would say it is too bad we have got in this muddle, it is too bad this man has took this way to represent us, or something like this, we would be better without nobody, or something to that effect.

Q. Was Eaton present at those conversations?

A. I could not say whether he was or not.

Q. How many Saginawians were here in the interest of the Saginaw City charter on the 19th of this month? Name them.

A. I believe on that day there was Jay Smith, Eaton and myself came down together. We met certain Saginaw men here when he came.

A. Levi Tillotson.

Q. An ex-alderman?

A. Yes, sir. P. C. Andre came down.

Q. He is an ex-mayor?

A. Yes, sir.

Q. Col. Little?

A. Col. Little was here.

Q. And ex-alderman Fellows?

A. Yes, sir.

Q. Do you call to mind any others?

A. No.

Q. D. C. Dickson?

A. D. C. Dickson came in that evening about eleven o'clock from Chicago.

Q. Is he ex-controller of the city?

A. Yes, sir.

Q. And was a member of the committee on charter amendments?

A. Yes, sir.

Q. And helped to prepare one of the charters?

A. Yes, sir.

Q. That is nine people altogether, as a matter of fact those gentlemen are all men of sociability, aren't they?

A. Yes, sir.

Q. Of social habits?

A. Yes, sir.

Q. They are the average Saginawian?

A. Some of them is.

Q. And it is not unusual for those men when they go away anywhere and meet with friends, to spend their money very freely?

A. It is unusual for some of those you have mentioned.

Q. But for the most part?

A. No, sir.

Q. Some of them?

A. Yes, sir.

Q. Some of them would think nothing of spending ten or fifteen or twenty dollars a day in a social way with friends outside of town?

A. No.

Q. It is a way they have?

A. Yes, sir.

Q. And they mean no harm by it?

A. No, sir.

Q. If I understand you right, you did not suppose, from all that occurred there with Eaton, and Dakin, and Fellows, and yourself, that any of these men intended to use that money in any other way than in sociability, did you?

Mr. Conductor Herrington—I object to that. Let the witness state the facts and then this House can judge what the intention was. He asks him to state what he supposes, which is clearly incompetent.

Mr. Holden—Under the rules of evidence governing cross-examinations it is

clearly admissable. Every lawyer upon this floor knows it. There is no question about it. It is fundamental in its nature. This is cross-examination, and has a bearing upon the motive of this witness, which I believe to be pure, and I believe that Mr. Dakin's motives were pure.

Mr. Conductor Herrington—All I have to say in relation to that is that the gentleman has a queer notion of purity. He says that every lawyer knows that it is competent because it is cross-examination. He asks this witness what he supposes were the intentions of Mr. Dakin and Mr. Fellows. I submit that the proposition only needs to be stated to show the ridiculousness of it. Should not this witness give to this House the facts and let them judge whether Mr. Dakin intended anything wrong or not?

The Speaker—The witness must confine himself to the facts and not to suppositions.

To which ruling of the Speaker counsel for the respondent did then and there except.

Q. There was nothing in the facts that indicated to your mind that the money was to be used in any other than a social way?

Mr. Conductor Herrington—I object to that. It is the same question put in different words.

Q. Was there anything said that it should be used in any other than a social way?

A. Yes, sir.

Q. Who said it, and what did he say? All I want are the facts.

A. As I said before, "You can give Fellows the money and I will see my man and send him to Fellows," that was stated. Now, what he meant you can take from that; you have got it just about as I got it.

Q. You have before stated that had you supposed it meant any corruption you would have rebuked it. That is true?

A. Certainly I would.

Q. Now, the substance of the conversation concerning Mayor Shackleton was this: That he and Representative Linton, who is the member from East Saginaw, had gone back home for the purpose of agreeing upon a compromise of hostilities, as it were, between the two charters?

A. Yes, sir.

Q. And that was stated to be their purpose in returning home?

A. Yes, sir.

Q. Did you see Mr. Fellows produce a memorandum of their proposed agreement?

A. Yes, sir.

Mr. Holden—Mr. Speaker, may I be permitted to ask if Mr. Fellows is in the room, and if he has the memorandum to produce it?

(A paper was here brought to the counsel.)

Q. (Showing witness the paper.) Is that the memorandum?

A. I think that is the document.

Mr. Holden—I offer the document in evidence. It becomes a part of the conversation, and tends to throw light upon other parts of the conversation. I never have seen it until this moment.

EXAMINATION BY MR. CONDUCTOR GOODRICH.

Q. Did you read that?

A. I read the first three lines at that time and I handed it back. I says, "We are better without Florence than with those conditions."

Q. You did not read it through ?

A. No.

Q. You do not know whether this is the same document or not ?

A. The heading is the same and I remember the hand-writing.

Q. There is an interlineation there ?

A. That was done there in pencil when I looked at it.

Q. Did you read it clear through ?

A. I did not.

By Mr. Conductor Herrington: We object to it as incompetent, because the witness states that he did not read it clear through, and therefore he cannot positively identify it, and also because it is not signed by any person. And I would like to ask the witness a question—

Q. Can you identify that positively as the paper ?

A. Well, the writing is the same, it was on the same heading as near as I can remember, and I remember these letters here, the way they are made. It has been either copied by the same man as near as could be, or it is the same identical paper.

Q. How much of the original did you read ?

A. I should say about two lines of it, until I seen where it run. I seen what the idea was and I just handed it back.

Mr. Holden—In your judgment it is the same paper ?

A. I would think it was the same paper, or an identical copy of the same paper, and written upon the same kind of paper and by the same man. I don't see any change in it.

EXAMINATION BY MR. CONDUCTOR GOODRICH.

Q. It was not signed at that time by any person ?

A. No.

Q. It is not signed now ?

A. No.

Q. Then it was no agreement, was it ?

A. It was about what they were talking of entering into. It was no agreement, of course.

Q. No one had agreed to sign that ?

A. No, not as I understand.

Q. You never heard any one say that they were going to sign it ?

A. No, sir.

Q. And you do not know whether their minds met upon that paper ?

A. No, sir.

Mr. Conductor Herrington—In whose hand-writing is it ?

A. I could not tell you.

Examination by Mr. Holden :

Q. This has the same general appearance of that paper ?

A. Yes, sir.

Q. Did Mr. Fellows say that this was a memorandum of the proposed agreement which had carried Mayor Shackleton and Representative Linton to Saginaw ?

A. He says something like this, that they have gone to see with regard to Florence.

Q. And produced this ?

A. Took that out of his pocket and I just looked at it and seen where it run and says, "We are better without Florence than to agree to this."

The Speaker—The paper is admitted in evidence.

The paper was here marked by the clerk "Exhibit C," and read, and is as follows:

LANSING, April 18, 1887.

We agree to refund to Carelton township the amount of money they have paid to build the Genesee street road, to extend a water main to the lower end of said strip of Florence, to give said strip of Florence three electric lights and proper police protection, and to expend all the moneys received in the city treasury from said territory for the next eight years on said piece of territory.

RE-DIRECT EXAMINATION.

By Mr. Conductor Goodrich.

Q. You stated that you did not, at that time that they were talking at the restaurant about money being used, that you did not think that there was any bribery going on at all?

Q. No, sir.

Q. I will ask you what you thought was going to be done with this \$25 that was to be obtained?

Mr. Holden—I interpose the objection that they themselves made right on that point, and the Speaker ruled that the witness should state what was said and not what he thought. I believe the Speaker was right, even though he ruled against me. I ask that the ruling be continued, because I believe it is right.

The Speaker—Anything that was said between the parties is competent. What Mr. Crowley might have thought was going to be done with it is irrelevant.

Q. I ask you how much that list figured up, if you understand.

Mr. Holden—I object. The list is the best evidence, and the witness said he did not have it in his hand or see it only at a distance.

The Speaker—Did you hear Mr. Dakin state what the amount footed up?

A. No; I could not say that I did. The only distinct amount that I can remember was stated as the figures were finished and the roll call passed away, that one man ought to have \$25, and I asked the question myself who it was, and he said Mr. Rumsey. I said, "What, Mr. Rumsey?" He replied, "Yes, a very valuable man if you get him for that," and that ended it. We left our seats and got out of the room.

Q. Did Mr. Dakin say at that time that \$25 could be used or not, with Mr. Rumsey?

Mr. Holden—I object to that as leading.

Q. What did he say in relation to \$25 to be used with Rumsey?

Mr. Holden—I object to that as having been gone over six times, of which I have the distinct honor four times myself.

Mr. Goodrich—I did not keep count, although I hardly think it was six. I hardly think that that very question was asked.

The Speaker.—Ask the question.

A. He said Rumsey ought to have \$25.

Q. For what?

A. We were just about arising from our seats and came out of the room at that time.

Q. What did you understand before?

Mr. Holden.—O, don't commit the error I made the second time.

Mr. Conductor Goodrich.—Did you commit an error ?

Mr. Holden.—The chair so ruled.

Mr. Conductor Goodrich.—I ask for a ruling on that.

Mr. Speaker.—The objection is sustained.

Q. We would like to know what you mean when you say that you did not understand that there was any bribery connected with this, when you say that Mr. Dakin though Mr. Rumsey ought to have \$25.

Mr. Holden.—I object to that.

Mr. Conductor Goodrich.—What do you mean by that ?

Mr. Holden. The testimony of the witness is the best evidence of his own meaning. It was clearly, concisely and fairly given in such a manner as capable of being comprehended by every man, woman and child upon this floor. It is not ambiguous.

Mr. Conductor Goodrich—I would say that it is somewhat ambiguous to me. I understand this, that Mr. Crowley is our witness, and we believe him to be honest, and we believe that he desires to tell the truth just as he understands it. We believe him to be a candid, upright man, and will tell the truth just as he understands it, but I say this is ambiguous to me, and it must be to the members of this Legislature. The witness states that he did so understand that there was bribery going on. He did not understand, although this list was made out and a valuation fixed to these fifteen different members of the House, although a price was fixed upon each one, he did not understand that there was any bribery going on. I want to know what he means when he says he did not understand that there was any bribery going on, or that Mr. Dakin did not intend to approach these members when he fixed a value in dollars and cents to the names of these men. I want to know what the witness means by that.

The witness—I would be glad to tell you if I were permitted to do so.

Mr. Holden—I withdraw the objection if it is a question of privilege.

The Speaker—Answer the question.

A. I thought like this, the amount set down opposite those men's, footing it all together, if that money was raised it would be for the benefit of Mr. Dakin and Mr. Fellows, and these members would never hear of it, that was my opinion.

Mr. Holden.—You honor has ruled that that may be admitted, that the witness may give his opinion upon that matter. I wish to ask one question.

Q. Nobody said that, did they ?

A. No, sir.

Q. You have always had a good opinion of Dakin's honesty ?

A. I had, but he wanted that money on that day.

Q. Did he ask you to give him some ?

A. No.

Q. Did he ask Eaton to give him some ?

A. No, I could not say.

Q. You heard Eaton swear yesterday that he did not ?

A. I did not hear all of Mr. Eaton's testimony yesterday, I was not in the room.

Q. Do you remember hearing him testify upon that point, that Dakin did not ask him for any money that day ?

A. I did.

Q. You heard Eaton so testify ?

A. Yes, sir.

Q. So far as you know that is absolutely true, is it ?

A. That is the absolute truth.

The following question was sent to the Speaker's desk and read :

Q. Was there anything said during this interview at the restaurant as to what purpose the \$25 placed opposite Mr. Rumsey's name was to be used for?

A. No.

The witness then leaves the stand but returns and makes the following correction :

I wish to make a correction. It just came to my mind through Mr. Little. Mr. Holden asked me if Mr. Dixon was not here on the 19th. As I come to remember it was not the 19th that he came here, it was the time before that that I was down that he met us here. It was not on the night of the 19th that he came here.

Levi Tillotson, being duly sworn, testified as follows :

Examined by Mr. Conductor Snow :

Q. Where do you reside?

A. Saginaw.

Q. How long have you resided in Saginaw?

A. About eight years.

Q. Are you acquainted with Milo H. Dakin?

A. Yes, sir.

Q. And Giles Fellows?

A. Yes, sir.

Q. Where were you on the 19th day of the present month about two o'clock in the afternoon?

A. I was in Lansing.

Q. Do you remember of meeting Mr. Dakin or Mr. Fellows about that time?

A. I do, sir.

Q. Where did you meet them?

A. I met them right here on the corner, on the street the Hudson House is on.

Q. Do you remember of having a conversation with Mr. Dakin and Mr. Fellows upon that occasion?

A. Yes, sir.

Q. State what that conversation was.

A. I met Mr. Fellows and Mr. Dakin, and after the usual greeting I asked them how matters stood in regard to our charter. They said they thought things looked very favorable, and that they needed some money to carry it through.

Mr. Holden—I want to know which one said that.

A. Mr. Fellows.

Mr. Holden—I object.

Q. Was Mr. Dakin present?

A. Yes, sir.

Q. Proceed.

Q. Mr. Fellows spoke and said that they would have to have some money in order to get the matter through, and that Mr. Shackleton had not brought any money down to amount to anything. I think he spoke and said about ten dollars, and after a while he said that Mr. Shackleton gave him five dollars, and Mr. Dakin two. Then Mr. Dakin told me that he had given Mr. Eaton a certain statement or list of names; that it would take money to use to get that charter through. I said to him, "Mr. Dakin, in the name of God you didn't do that." He says, "I did." I said, "You had better go and have

it straightened at once, for you will get into trouble;" and I advised him to go and see Mr. Eaton and put a stop to it.

Q. Do you remember whether Mr. Dakin said how much money was necessary to use among the certain member that he made a list of?

A. I think he said from five to twenty-five dollars.

Q. Apiece?

A. Yes sir.

Q. Did he say to you in what manner he intended to use this money?

A. No, sir, I don't think he did, any further than in a social time.

Q. Do you remember of making any statement to them, or saying to them, or asking them if they were not doing wrong in undertaking to use money in this way?

A. When Mr. Dakin made the statement that he gave a list, I told him that it was wrong and asked him why he did it.

Q. What was his reply?

A. He said he knew it was not right.

Q. Was there anything further said during that conversation in regard to this matter?

A. I think that was the sum and substance of it. There might have been some talk besides, but nothing that I remember now.

Q. Did you meet Mr. Dakin that day at any other place?

A. I think I did see him two or three different times, twice that I recollect.

Q. Did you have have any conversation with him?

A. I don't remember talking to him about this matter after that. There might have been some words, something said.

CROSS EXAMINATION BY MR. HOLDEN.

Q. This was on the street, was it?

A. Yes, sir.

Q. You being a gentleman from our town of Saginaw, was anything said about taking anything in a social way, drinks or cigars?

A. At that time?

Q. Yes.

A. Yes, sir.

Q. Upon whose invitation?

A. Upon mine.

Q. Was it accepted or declined on Dakin's part?

A. It was declined on Dakin's part.

Q. And you told Dakin, as I understand you, when he said that he had given a list, or marked roll call to Mr. Eaton, "In the name of God, Dakin, why did you do that; Eaton will get you into trouble with it, I am afraid?"

A. No, sir, I told him he would get into trouble. I don't remember saying, Eaton would get him into trouble.

Q. You advised him to get the paper back?

A. Yes, sir.

Q. And you told him that you would try and get it back, didn't you?

A. I told him I would go with him or help him if I could. I did not tell him I would try and get it back.

Q. Did you not tell him that Eaton was not a friend of his?

A. No, sir, I don't think I did.

Q. Do you know whether, as a matter of fact, he was a friend?

A. That, I could not say.

Q. Never knew that he was a friend ?

A. That he was or was not.

Q. Mr. Fellows was a member of the city committee sent here by the city authorities to aid in getting the charter through the Legislature, was he not ?

A. I understand so. I do not know it to be so, but I understand so.

Q. And it is a fact, is it not, that either the city of Saginaw or prominent business men were to reimburse this committee sent down in the interest of the city for their expenses ?

A. I so understand, I do not know that to be so.

Q. But that was your understanding of the matter ?

A. Yes, sir.

Q. You are an alderman of the city ?

A. Yes, sir.

Q. Were you last year ?

A. Yes, sir.

Q. And are yet ?

A. And am yet.

Q. Your term of office expires when ?

A. Next spring.

Q. You were not up for re-election this last spring ?

A. No, sir. The reason that I do not know is that I was away from home for two months; went away the seventh of February and did not get back until the first of the month.

Q. On a trip to California ?

A. Yes, sir.

Q. And that is all you know about the matter ?

A. That is all I know about it.

The following question was submitted by a member and read by the Speaker: What reply did Dakin make when you advised him to see Eaton and fix the matter up ?

A. I don't know that he made any reply. He asked me to see him.

Q. He asked you to see Eaton ?

A. He said that he had done wrong and he asked me to see Eaton.

Q. Did you see Eaton in regard to it ?

A. I saw him after I left Dakin; saw Eaton just this side of the Hudson House.

Q. And told him to give up the matter ?

A. No, sir, I did not say anything about it at that time, any further than when he told me what Dakin had done, I told him Dakin had told me substantially the same thing.

Q. And what did you say to Eaton then ?

A. I don't think I said anything to him just at that time.

Q. Afterward, pertaining to that particular subject, what did you say ?

A. I asked if he he could not give up this—

Mr. Conductor Snow—That is objected to as incompetent.

Mr. Holden—It is competent as showing the motive of the complaining witness and as contradicting him also, wherein Mr. Eaton stated to this House that Mr. Tillotson had not asked him anything upon the subject.

Mr. Conductor Diekema—There is no such answer in the record.

The Speaker—What did Mr. Eaton say ?

A. When I asked Mr. Eaton if this matter could not be fixed up he said he

did not know, he did not think he would dare do it now; I think that was about what Eaton said.

Q. Did you ask him for the list?

A. No, sir, I did not ask him for the list.

Q. When you spoke about fixing up the matter?

A. I asked him if it would not be better to give back this list. He said he did not know that he dared.

Q. When was that?

A. I believe that was on the 20th.

Q. What time?

A. I am not positive whether in the forenoon or afternoon. I think it was down near the Hudson House.

Q. Let me strengthen your recollection if I can. Was it not at the Hudson House and early in the morning, the first time you met him that morning?

A. No, sir; I think it was on the street.

Q. But in front of the Hudson House?

A. No, sir, my recollection is that it was this side of the Hudson House, on this side of the street. I would not be positive as to where the conversation took place.

Q. Don't you remember that it was in the morning?

A. No, sir, it runs in my mind that it was toward noon or perhaps a little after noon.

Q. But you are not positive as to the time?

A. Not as to the time.

The following question was sent to the Speaker's desk by a member and read by the Speaker:

Q. What did Eaton say to you, if anything, about having Dakin in his power on account of the slip?

A. He did not say anything to me in regard to that.

Mr. Conductor Diekema—This was on the 20th, was it?

A. Yes, sir.

Mr. Holden—You have, until this matter came up, always regarded the reputation of Milo H. Dakin as that of an honest man, have you not?

A. Yes, sir.

Q. Never heard ought to the contrary, have you?

A. No, sir, I can't say that I have.

The following question, sent to the Speaker's desk by Mr. Manly, was read by the Speaker:

Have you at any time during the present session of the Legislature heard the name of any member of the House mentioned by Mr. Dakin, or in his presence in regard to the use of money in connection with any matter of legislation pending in this House, other than as stated in connection with the fifteen members already specified, or any of the fifteen?

A. I have not.

Mr. Bates moved to amend rule 3, of the Rules of Order, by inserting in line 6 after the word "desk" the words "at the rear of the aisle." Also in line 7 after the word "desk" the words "at the rear of the aisle;" rule 3 as amended to read as follows:

1 RULE 3.—At the opening of the investigation the Speaker shall direct
2 the Sergeant-at-Arms to call the accused in the following manner: "Milo
3 H. Dakin, appear and answer to the charges filed against you by the com-
4 mittee of the House of Representatives of the State of Michigan on behalf

5 of said House." If said accused or his counsel shall appear they shall be
6 assigned seats in front of the Clerk's desk at the rear of the aisle. The
7 said committee shall also be assigned seats in front of the Clerk's desk at
8 the rear of the aisle. The Clerk of the House shall then read the charges
9 preferred, and the accused may file answer thereto, and read the same.
10 If the answer raises a question of jurisdiction the accused shall be allowed
11 thirty minutes to argue the same, and the committee a like time to answer.

Mr. S. Baker moved to amend the amendment by striking out the word
"rear," where it occurs in lines 6 and 7, and inserting the word "center" in
lieu thereof,

Which was accepted.

The motion to amend then prevailed, two-thirds of all the members elect
voting therefor.

The hour of 12 M. having arrived, the Speaker declared the House at recess
until 2 o'clock P. M.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the investigation of the charges against Representative
Dakin.

Mr. Hosford moved that rule 12 of the rules of order be amended by striking
out the word "daily" after word "published," and add at the end of the rule
the words "as soon as may be," so that the rule as amended shall read as
follows:

"The stenographers employed shall take the constitutional oath of office and
shall take full minutes of all the proceedings, which shall be published in the
Journal as soon as may be."

Which, after discussion by the members of the House, was withdrawn.

Jay Smith, recalled.

The following question, handed up by a member of the House, was put to
the witness by the Speaker:

Q. Have you at any time during the present session of the Legislature heard
the name of any member of the House mentioned by Mr. Dakin, or in his
presence, in regard to the use of money in connection with any matter of
legislation pending in this House other than as stated in connection with the
fifteen members already specified?

A. I have not.

Mr. Conductor Chapman—Mr. Speaker, the committee rest their case.

The Speaker—Under the rule the defense will now be allowed fifteen minutes
in which to open their case.

Mr. Holden—Mr. Speaker and gentlemen of the House:

We had not expected to be called upon to open our case at this time, but we
had expected that when the time should arrive we would be very brief in the
matter, as we wish to consume no more of the time of this House than is abso-
lutely necessary to a full and fair understanding.

The defense in this case may well be apprehended from what has already
occurred. The statement of the defendant has been taken in part. Of course,

from the manner in which it was taken, that is, in response to questions and written in a narrative form, it must be less complete, less in detail than it will appear upon the stand from the witnesses that we shall produce; and the only object that we have at this time is to state to you briefly that it is in the same general line of the evidence which has already been produced.

* Our witnesses will be few and we expect that the members of this honorable body, when they have heard all the evidence that the prosecution and the defense may see fit to produce for their consideration, will believe that this defendant is more sinned against than sinning; that while he is perhaps deserving of rebuke and censure from this House for his stupid course in the matter, if I may be allowed the expression, he is still entitled to sympathy for the manner in which he was taken advantage of by a man less honest and more designing than he himself. We shall insist in this matter that one of the main characteristics of an honest man is to believe that others are honest. If you have ever dealt with Quakers, the most honest people on earth, you find them most readily gulled.

We shall ask you to believe from the evidence in this case which is already in, and that which is to come, that the respondent is the victim of a design. Had he been the rascal that some have asked you to believe, he would have had that shrewdness to have suspected that a vile conspiracy was in progress to entrap and ruin him. We shall ask you to believe from the evidence that the one who was so careful of his own reputation—that when he became so startled and frightened at his own situation in the matter—that it was a sham on his part; that if startled at all it was with the opportunity which he found he had to get even with three men, and he was willing to disgrace the fair name of members of this House, to insult the dignity of the House, for the purpose of accomplishing his object of getting even.

We shall expect you to believe from the evidence in the matter that being angry at Milo H. Dakin because he led, as Mr. Eaton believed, the council of the city of Saginaw to reject his nomination for re-election as city attorney, and at Giles Fellows, who was an alderman and voted against the confirmation, and the mayor of Saginaw, I say for this reason he was willing to disgrace the members of this House and bring reproach upon the reputation of Saginaw, which he yesterday said he was so careful to maintain at home and abroad. But for Fredric L. Eaton's course in this matter of coming to Milo H. Dakin, heretofore an honored and respected member of this body, and urging him to put down the marks opposite the names of certain members upon this floor, and then to put down the figures, to gratify his own spite; but for his action in the matter nothing of the kind would ever have been done. More sinned against than sinning; honest simplicity upon the one side and designing cunning upon the other. Milo H. Dakin would never have disgraced this House. It was Frederic L. Eaton that did it; did it designedly while Dakin did not design. We shall ask you to believe from the evidence that Milo H. Dakin has never approached a member of this House and sought in any way to induce him to violate his oath of office in any sense. We shall ask you to believe from the evidence in this case that what talk there was came up in a natural way.

It already appears in part that it was understood by the Common Council of the city of Saginaw, and leading persons there that the lobby members who should come in the interest of the city should have their expenses defrayed by the city and persons there; that it was talked to him that the best way to enable them to act in the matter was first to form the acquaintance of mem-

bers of this House; that if they came here into this hall during the progress of the business of the House, being strangers for the most part, they could get but little real attention, though of course civility and respect from every member; but being busy they could give the matter but little consideration, and that if in a social way the lobby members from Saginaw could meet the gentlemen of this House in their leisure moments, they could form their acquaintance.

And we know full well that we can present a matter better to a friend and acquaintance than to a stranger; that he takes more interest in a matter to look it up and see if there are merits or demerits in the measure. And Milo H. Dakin was simply led to believe that a social gathering in that way—not for the purpose of corrupting members in the least—might be had by way of courtesy to his friends and constituents, as other entertainments in a social way might be had, without the slightest intention of doing any wrong. In fact, there was no wrong in it as Milo H. Dakin was led to believe; but bad use of his confidence in this matter was designed to be made by Eaton unbeknown to Dakin.

Eaton knew the purposes for which he intended this interview. Dakin did not. We shall show you, in addition to what Eaton has said, more fully how Eaton urged that he designate particular members. For, Eaton being a lawyer, he knew as a legal proposition that if Dakin should make a general statement it would not be of the force that it would be to make a particular designation. And I say that the evidence will appear more fully in regard to the manner in which Eaton urged, and by his urging almost forced Dakin to make the designations which he did. Eaton has owned it in part but the truth has not yet all appeared.

This will be the general nature of the evidence to be produced. We have but one witness to call, I may say, gentlemen, aside from the ones subpoenaed on the part of the committee of the House. We supposed that they would be put on the stand, but inasmuch as the committee, for reasons satisfactory to themselves, have not seen fit to put them upon the stand, and as we suppose they know something concerning this matter, we shall put them on, and whatever there is in the matter, Mr. Speaker and gentlemen of the House, we want to appear. There is nothing that we shall keep back. We wish you knew it all, and will do what we honestly can to aid you to that end, and if we are able to give you an understanding of the whole of it, you will not expel this member.

By Mr. Conductor Diekema—I should like to know what the gentleman refers to when he says that we have not put upon the stand all of the witnesses subpoenaed by us.

Mr. Holden—Is it not true?

Mr. Conductor Diekema—It is not true.

Mr. Holden—Then I beg pardon of the gentleman. I was told by a number that they had been subpoenaed and expected to be put upon the stand on behalf of the committee. If I have been misled then perhaps I have been a victim also.

TESTIMONY OF GILES FELLOWS.

Giles Fellows being duly sworn testified as follows:

Examined by Mr. Dodge.

Q. Where do you reside?

A. Saginaw City.

Q. How long have you lived there?

A. About 21 or 22 years.

Q. How do you happen to be here in Lansing at this time? Was any subpoena served upon you?

A. Yes, sir.

Q. Since you came here in pursuance of the command of the subpoena, where have you appeared with regard to this cause; have you appeared before any committee?

A. Yes, sir.

Q. What committee was that?

A. It was this investigating committee, as I suppose.

Q. How did you happen to be before this investigating committee?

A. I was subpoenaed and notified to be there at such a time.

Q. Who notified you to appear before the investigating committee?

A. There was a gentleman came down and asked me to come up; I appeared here in the House and he came to me and wanted I should go up in the room.

Q. Was it one of the officers of this House?

A. Yes, sir, the man at the door.

Q. The deputy Sergeant-at-arms?

A. Yes, sir; the gentleman that is at the door now.

Q. And you appeared before the committee, and what did you do there?

A. I made a statement.

Q. Who was present on the committee?

A. There is none of them that I could recall their names only Mr. Snow. The others I was introduced to at the time.

Q. Were the other members of the committee that now appear here then present?

A. Yes, sir.

Q. They interrogated you there, did they?

A. Yes, sir.

Q. And took down your statement?

A. Yes, sir.

Q. What is your business?

A. I am a laborer.

Q. A day laborer?

A. Most of the time, yes, sir.

Q. Since you have been living in Saginaw have you held any official position?

A. I have been elected alderman from the second ward one term.

Q. Any other position that you have held?

A. No, sir, not officially.

Q. When were you elected alderman?

A. In the spring of 1886.

Q. When did your term of office expire as alderman?

A. This last April.

Q. Are you acquainted with Milo H. Dakin?

A. Yes, sir.

Q. How long have you known him?

A. I think it is about seven or eight years.

Q. Have you ever been down to Lansing with reference to the Saginaw City charter?

A. Yes, I was down twice before this last time. I have been here three times now altogether.

Q. When did you first visit Lansing with reference to the Saginaw City charter?

A. It was some time in March. I cannot remember the date now.

Q. Of this year?

A. Yes, sir.

Q. At whose instance did you come here?

A. I was appointed as one of a committee from the council.

Q. Who were the other members of the committee?

A. I cannot remember them all. From the council I think Mr. Tillotson, Mr. Shackleton, Mr. Caddington, Mr. Austin; that is all that I can call to mind now, I don't know but there were other members.

Q. Who notified you that you had been appointed as one of a committee to come down to Lansing, with regard to this matter of the city charter?

A. Controller Dixon first spoke to me.

Q. What did he say to you?

A. He asked me if I had got my council proceedings yet, and I said, no, and he says, "You are appointed as one of the committee." I was not there at the council meeting that night that I was appointed.

Q. If March last was the time when you first came down here, when did you come down the second time?

A. I think in about a week afterwards I came down again.

Q. When did you come the third time?

A. It was this last week.

Q. On the 19th day of April?

A. I came down on the 18th in the morning.

Q. Who was to defray your expenses on these several trips; what arrangement if any, had been made with regard to them?

A. Mayor Shackleton came to me and told me he wanted I should go down to Lansing with Mr. Dakin, and I told him I was already out about \$30 on the charter business and I didn't propose to be anything more out.

Q. What do you mean by that?

A. I mean that I had expended about \$30 more than I had got back.

Q. In what way?

A. In a social way around town.

Q. Does that include your railroad expenses and hotel bills?

A. No, sir.

Q. How much have you expended altogether on your several trips down here in the interest of the city charter?

A. I think perhaps fifty or fifty-five dollars.

Q. Have you ever received any portion of that back?

A. I have received \$15.00.

Q. When did you receive the \$15.00?

A. I think it was the first meeting of the council in April.

Q. From whom did you receive it?

A. I got my order from the controller and received it from the city treasurer.

Q. What did you expect to do down here at Lansing in the interest of the city charter?

A. I expected to come down here with Mr. Dakin and help him what I could.

Q. In what way?

A. Getting acquainted with the members and talking to them some and showing them a map and explaining to them as well as I could.

Q. What was there about the city charter that required yourself and others

to come down here and explain minutely to the members of the Legislature that they could not themselves have ascertained by an examination of the charter?

A. They proposed to detach a portion of territory called Florence and incorporate it into Saginaw city.

Q. Any other purposes?

A. No, not particularly that I remember of.

Q. Why did you deem it necessary for you and others to become acquainted with the members of the Legislature?

A. In order to talk with them and show them the philosophy of having that attached to Saginaw city.

Q. Did you talk with members of the Legislature, and if so, with whom?

A. This last time do you mean?

Q. On any visit that you have made here.

A. I talked with Mr. Oviatt, I believe, and to Mr. Snow, I think, on one occasion. I don't remember that I did.

Q. And with other members?

A. I talked with Mr. McGregor.

Q. And with other members?

A. Yes, sir.

Q. You cannot recall all the members that you talked with?

A. No, sir.

Mr. Manly—I would like to ask the attorney how he knows he cannot recall any others.

Q. Can you give the names of the others you talked with?

A. No, sir, I cannot remember their names now. I think I talked with Mr. Bates in regard to it the last time I was down, and gave him a map of the city.

Q. On your last trip down here previous to the present one you arrived here on the 18th of April, at what time in the day?

A. About 10 o'clock in the forenoon.

Q. What did you do after you arrived in Lansing upon that date?

A. I think we went from the depot right to the Eichle House.

Q. Whom do you mean by "we"?

A. Me and Mr. Dakin.

Q. Did Mr. Dakin come with you on the 18th?

A. Yes, sir.

Q. What day of the week was that?

A. On Monday.

Q. You got to the Eichle House, and from there where did you go?

A. I think we came up here to the capitol from there.

Q. What did you do on the 18th that you have not already stated in regard to the city charter, if anything?

A. I don't think we did anything that day. There was not many members here. I think I saw Mr. Bates on that day, but did not have much conversation with him because he understood it, I suppose, as well as I did and perhaps better. I gave him a map.

Q. Then on the 19th what did you do in regard to the city charter in the morning before 10 o'clock?

A. Monday night we came up here to the house, Mr. Dakin and me, and when the evening train came in Mr. Shackelton came up here and after the House adjourned we got to talking with Mr. Linton, and Mr. Linton made this proposition to him that was sent up here in writing.

Q. Made that proposition to Mr. Linton?

A. Yes, Mr. Linton favored it.

Q. Was this the identical proposition that was introduced in evidence this morning at the time that Mr. Crowley was on that stand that was talked over on that occasion?

A. Yes sir.

Q. That is the identical paper?

A. Yes, sir, that is the identical paper that the other was copied from that he had with him.

Q. Then on the morning of the 19th what did you do previous to 10 o'clock, if anything with reference to the city charter?

A. This was on Monday that I am speaking of.

Q. I am now speaking with reference to Tuesday the 19th?

A. I don't know that we talked with anybody only Mr. Snow; I think we spoke with him.

Q. You had talked with Shackelton and Linton on the evening of the 18th and on the morning of the 19th also?

A. No, sir, no more than we went over to the depot with them on the 19th.

Q. What conversation, if any, did you have with Shackelton on the evening of the 18th and on the morning of the 19th with reference to this matter?

A. On the evening of the 18th we were talking with Mr. Linton most all the evening, in fact we were here until nearly 12 o'clock when we left the House.

Q. Was that with reference to some compromise?

A. Yes, sir.

Q. What was the conclusion arrived at at that time between Mr. Linton, Mr. Shackelton and yourself?

A. They came to the conclusion that they would go to Saginaw, and Mr. Linton would talk with the people of Carrolton and East Saginaw, and Mr. Shackelton would talk with the people of Saginaw City, and if it were agreeable, Mr. Linton said, so far as he was concerned, he was perfectly willing it should go so.

Q. You have been here and heard the testimony that has been taken in these proceedings thus far?

A. Most of it.

Q. You heard something with reference to Shackelton going back to Saginaw for some money. Will you state what there is about that as you understand it?

A. There was nothing said about it on Monday. On Tuesday morning when we were going to the train Mr. Shackelton asked me if I got any money when I left Saginaw. I told him no, and I put my hand in my pocket and pulled perhaps fifty or sixty cents, and I said that is the extent of my pile, and he took out \$5 and handed me and said he would bring some more when he came, and I asked him if he would be through and be back that night, and he said he did not know, but he thought he would, but if anything happened that he did not he would telegraph us so that I could get some money by telegraph.

Q. What were you to have money by telegraph for?

A. For my expenses.

Q. What expenses?

A. Expenses that I might incur here.

Q. To be used in a social way?

A. Yes, sir, no other way. Nothing of any other way was talked of at all.

Q. On the morning of the 19th Mr. Shackelton returned to Saginaw. Whom did you next see from Saginaw with regard to the city charter, if any one?

A. Nobody that I know of. Until the meeting of Mr. Eaton and Mr. Jay Smith down here in the hall of this House.

Q. About what time in the morning was that?

A. I should judge it was about half past nine o'clock as near as I can remember.

Q. Did you have anything to say with Mr. Eaton or Mr. Smith on that occasion?

A. As I met them we shook hands and Mr. Eaton asked how things looked in regard to the charter. I said they looked first rate and he says "What did Shackleton go back to Saginaw for?" and Mr. Dakin spoke and said "He went back with Mr. Linton to fix his matter of Florence, between East Saginaw and Saginaw City, and to bring back some money with him for Fellows' expenses; and Mr. Eaton asked him if he thought any money could be used with the members in the interest of the charter, and Mr. Dakin says "Of course it could in a social way," and that was about all that I heard said about money.

Q. Did you hear the entire conversation?

A. I think I did.

Q. Have you stated all that took place between the gentlemen that morning at the time of this meeting?

A. All that I can recall now at present.

Q. You heard Mr. Eaton's testimony with reference to the G. A. R. men and what was said on that occasion, did you not?

A. I heard his testimony.

Q. What have you to say with regard to that part of the testimony where Dakin said there were some G. A. R. men, about thirty, that he could see to advantage, or words to that effect?

A. I did not hear any such language at all.

Q. I wish you would try to refresh your mind and give us a statement of just what you did hear between those gentlemen in the presence of Mr. Dakin that morning in the rotunda of the capitol.

A. I think Mr. Dakin told me that Mr. Shackelton only brought out about \$10 with him to pay his expenses and mine, in a kind of a laughing way. I think that was said there if I remember right.

Q. Whose expenses did he mean, Shackelton's?

A. Shackelton's and mine. That is the way Dakin spoke.

Q. You heard Mr. Eaton in answer to a question yesterday by Judge Holden say that he inquired of him, Dakin, how much money he wanted or needed, and the next inquiry made of him was "I asked if we would get a favorable report from the committee, and he said that there is no doubt but that the report will be adopted by the House."

Q. Do you remember that conversation?

A. No, sir; I do not.

Q. He says next following, the next inquiry I made of him was this: I asked if he would get a favorable report and he said "There is no doubt of it if I can have what I need to do it with," that Dakin replied to him in that way.

A. No, there was no such conversation took place in my hearing.

Q. Did any conversation of that kind take place can you say.

A. No, sir; not there at that time.

Q. At any other time did a conversation of that import take place?

A. No, sir; not that I heard.

Q. Mr. Eaton says that he said "How much have you an idea that you will need." Did you hear him make that inquiry of Dakin?

A. No, sir.

Q. Did he make such an inquiry Mr. Dakin?

A. Not in my presence.

Q. You were present all the time on that occasion?

A. I was present there all the time.

Q. And heard everything that was said?

A. Yes, sir.

Q. Did you hear Mr. Dakin reply to him "I cannot tell until I begin to work, until I canvas the matter some more?"

A. No, I did not hear.

Q. Was anything of that kind said?

A. No, sir.

Q. Mr. Eaton testified that Dakin said, "now we were out last night. We were out till 12 or 1 o'clock with some of the boys. We were out with several of them and we spent considerable money. There is four of them who are solid," or words to that effect, that he used the word "solid," and as to their being all right. Did you hear any such conversation or anything of that import?

A. No, sir.

Q. Was anything said by yourself or Dakin to Eaton or to Smith of that import?

A. No, sir.

Q. Did any conversation of that kind, or with reference to that part of the subject, take place in your presence?

A. No, sir.

Q. Did any conversation of this kind take place: "Mr. Fellows remarked that he was promised some money before he came down here, but no one gave him any money, and he came with what he had in his pocket; that he had \$32 in his pocket when he left home. He had paid his expenses and he had used it all up. This was on Tuesday, and he said that he came down on the morning train, Monday." Did anything of that kind take place?

A. I think I did tell him that I expected some money to pay my expenses with, that I was promised some money to pay my expenses with; but I did not tell him that I spent \$30 the day before.

Q. Or \$32?

A. Nor \$32.

Q. Nor any particular sum of money?

A. No, sir.

Q. Did you tell him you were out with some of the members of the House of Representatives the night before?

A. No, sir.

Q. Did Dakin tell him he was out with any of the members of the House of Representatives the night before?

A. Not in my hearing.

Q. You say not in your hearing? You have said before that you heard everything that was said?

A. I heard what was said. What I mean by that is if he told him so it was at some other interview. It was not at that interview.

Q. This testimony relates to the interview there in the rotunda of the capitol. He then says: Eaton says, "I then asked Mr. Dakin how much money he had an idea he was going to need and he replied as I stated, that he could not tell until he had made a canvass." Did any such conversation or anything of that import take place?

A. No, sir.

Q. Did any words to that effect pass between any of these parties in your presence on this occasion?

A. No, sir.

Q. You heard Mr. Eaton's testimony wherein he testified to the facts substantially as I have stated them, yesterday, did you not?

A. Yes, sir.

Q. What have you to say with reference to that portion of the testimony that I have now called your attention to, and that you heard yesterday as to its being true or false, true or untrue?

A. I should say it was untrue.

Q. Did you hear Mr. Dakin say to Mr. Eaton "If we should go to a man and talk with him and make him any promise, and then for any reason I would fail to get the money he would be disappointed and he would go back on us, and it would hurt us rather than help us?"

A. No, sir, he did not.

Q. Did any conversation of that kind take place?

A. No, sir.

Q. Did he say they could not commence doing any work until they got the money?

A. No, sir, I did not hear that either.

Q. Did Mr. Eaton as he testified here yesterday use this language "I then said to Dakin 'is this a prudent thing to be talking about the use of money in this way?'"

A. No, sir.

Q. Did Dakin or yourself say to Eaton as he testified yesterday, "You gentlemen don't need to be known in this matter all; you furnish the money to me; or if you don't want to trust me, you can give it to Fellows, and I will attend to the rest of it?" Did Mr. Dakin or yourself say that here in the capitol at the time mentioned?

A. No, sir.

Q. He says: "I said 'what do you propose to do with it; how do you propose to use it,' he said 'well, I am pretty well acquainted with a good many here. Now, there is a large number (I think 34 was the number stated) of Grand Army men here that are members, and I am pretty well acquainted with them, and so is Mr. Fellows.'" Did any conversation of that kind take place on this occasion?

A. No, sir.

Q. Did any of this conversation that I have related take place on that day or any other day in your presence?

A. Not in the capitol building.

Q. Did any portion of this conversation take place anywhere on any occasion?

A. The part of it where it states that he told Mr. Eaton if he had any money to use that he wanted to be used in that way, he could give it to Fellows, that he did not want it—

Q. Where did that take place?

A. That took place down here in the Windsor restaurant.

Q. Who said that to Mr. Eaton ?

A. Mr. Dakin.

Q. In your presence ?

A. Yes, sir.

Q. Who else was present ?

A. Mr. Crowley.

Q. Who else ?

A. Mr. Crowley, Mr. Eaton, Mr. Dakin and myself.

Q. Did Mr. Dakin or yourself say to Mr. Eaton, as he testified yesterday, "I will go and see any one of them that I deem proper, and talk with him, and if I think I can use some money with him I will make an appointment for him to meet Mr. Fellows?"

A. No, sir.

Q. Did that conversation take place in your presence at any time?

A. No, sir.

Q. "Then I will see Mr. Fellows and Mr. Fellows will give him what I think is proper." Did that conversation take place?

A. No, sir.

Q. Or anything of that import?

A. No, sir.

Q. Did Mr. Eaton ask Mr. Dakin or yourself "Is this customary when a bill is pending here; do members expect to be seen in this way?"

A. No, sir, I did not hear any such conversation.

Q. Did any conversation of this kind take place, as stated by Mr. Eaton: "He said there were a good many of these Grand Army men and there were a good many democrats that were not Grand Army men, and he could not tell until he had canvassed the matter."

A. No, sir, I did not hear that stated.

Q. On any occasion ?

A. No, sir.

Q. "I said 'suppose you name them over and let us see.' " Was there any one named over or did he ask any such question of Mr. Dakin or yourself ?

A. No, sir, not to name over what Grand Army men do you mean ?

Q. Yes.

A. No, sir.

Q. Or anyone else ?

A. He asked Mr. Dakin down there in the restaurant to name over—if I remember right—to name over what members he would like to see.

Q. Is this about all that took place, which you have stated, in the capitol? Have you given the House to understand all the conversation that took place between these gentlemen in the rotunda?

A. Yes, sir, all that I can recollect.

Q. Where did you next see the gentleman ?

A. I next saw him down on the corner of the main street. I don't remember the names of them.

Q. On the corner of Washington Ave. and Michigan Ave ?

A. Yes, sir, on the north-west corner.

Q. Did any conversation take place there ?

A. Yes, sir.

Q. State what conversation took place and who was present.

A. Mr. Eaton, myself and Mr. Dakin were present. Mr. Dakin and I stood there talking and Mr. Eaton came to us and he said "Well, fellows, Shakel-

ton didn't bring you down any money?" I said "No, but he gave me five dollars and he gave Dakin two dollars."

Q. Who was it that said this?

A. I said that to Mr. Eaton.

Q. Where was that?

A. Down on the corner of the street.

Q. Proceed.

A. And I said "When he gets back to-night he will bring me some more enough to bear my expenses while I am here." And he turned around then to Dakin and he said "Then you think you could use some money here with the members in the interest of this charter?" Dakin said, "No, sir; I could not use any money in any other way than in a social way with the members." He said "I don't know of a member of the House that I could approach with money, that I would think of approaching with money."

Q. Who said this?

A. Dakin said this. Eaton said "Well, I have got some money with me, and Little and Crowley are here and I will see them."

Q. Who said he had some money with him?

A. Mr. Eaton, and that he would see them and see if they could not fix the matter up; and he started off up towards the Lansing House and we stood there and talked about three or four minutes I should think, when we saw Crowley across the street on the opposite corner towards the river.

Q. And when this conversation took place, if I understand you correctly, there was no one present except Mr. Eaton, Mr. Dakin and yourself?

A. That was all.

Q. And then after you saw Crowley did he join your party?

A. Dakin and I went across there. Eaton had gone up towards the Lansing house. Crowley went up and shook hands and he began to inquire about the charter, how it looked. We told him we thought it looked favorable. I think that I took out this same list, that same proposition that Eaton had written and showed it to him. He looked at it a minute and we stood there talking.

Q. Was anything said about money at that time to Crowley?

A. Oh, no. Crowley said, "Let's go down and take something. I have not had anything since I struck Lansing." That is the way he spoke, and we started then and went down to the Windsor restaurant and went in to get a drink.

Q. Who were in that party?

A. Mr. Crowley, myself and Mr. Dakin.

Q. Where was Mr. Eaton?

A. I don't know.

Q. Then where did you go?

A. We staid in there and talked for a few minutes; came back again on the corner.

Q. Had a drink apiece in there?

A. Yes, sir.

Q. What did you drink?

A. I drank some whiskey.

Q. What did the other gentlemen drink?

A. Mr. Crowley drank some whiskey and Mr. Dakin drank some wine I believe.

Q. Which way did you go then?

A. Then we came back on the corner and if I remember right we were there two or three minutes before Mr. Eaton came up to us again.

Q. Then when Mr. Eaton came up where did you go?

A. We stood there on the corner, and I think Mr. Eaton stated, if I remember right, to Mr. Crowley, "Dakin thinks he can use a little money here in the interest of our charter," and there was some talk there. I don't remember now. I could not repeat any more of it as I know of. I don't know what was said really any further than that; but I know Mr. Eaton said, "Isn't there some place we can go and sit down and talk this matter over," and Crowley said, "Come on down this way." So we walked along down to the same restaurant that we had just come out of, and they went in, and as they went at the door, I said, "I have got to get some tobacco." So I stepped right into a grocery store, right next to it, and got some tobacco, and when I came back in and got in at the door of the bar room, I did not see anybody. I stood there perhaps half a minute when the bar tender came out from the back room and he said, "I guess your friends are in the stall right in here." I said, "Yes," and walked through, and when I went in there, they had had drinks called on; liquor was sitting on the table.

Q. What drinks had they called on?

A. There was whiskey left for me any way—(Laughter.)

Q. What drinks were down by the other gentlemen, do you know?

A. I think that Mr. Eaton and Mr. Crowley drank whiskey, and I think Mr. Dakin drank wine on that occasion.

Q. How long do you think they had been in this stall before you came up and discovered them there?

A. They could not have been in there more than a minute or two, because I was not gone more than two minutes I think.

Q. What took place—and I want you to think carefully about it so as to state everything that took place while you were present in this stall—what took place between those gentlemen?

A. I think Mr. Eaton sat down and said "Now let us see how we can fix this matter up," and I think he inquired if anybody had a roll call there. Finally he said "I have got one myself," and put his hand in his pocket and took out a House roll call and shoved it over to Dakin. "Now," he said, "those members that you think you would like to see, just check them off there will you, so that we will have an idea about how many there are." Dakin took the pencil and looked at the paper. He said "This has been checked off," and Eaton said "Then check them off on the other side." So Dakin checked them off on the other side.

Q. This roll call was produced how long after you had been in this room?

A. I don't think we had been in there over three or four minutes, five minutes perhaps.

Q. Go on and state what took place after that please?

A. Mr. Eaton took it then and looked it over, counted them up, and as I remembered it and as I stated before the committee, I believe, there were seventeen of them; but I have learned since that I was mistaken, there were only fifteen checked off. Then Mr. Eaton handed it back to him again and said, "Now just set down the amounts that you would like to—that you think would be necessary." Mr. Dakin set down some figures. I did not know what they were; did not take the roll call in my hand and I was not in a position where I could see, but I know he handed it back to Mr. Eaton and Mr.

Eaton read over the names and the amounts and figured it up, and I think it amounted to \$125.

Q. Who figured it up?

A. Mr. Eaton.

Q. And did he announce that it amounted to \$125?

A. Yes, sir.

Q. Please proceed now and give us all that took place on that occasion.

A. I think he called over Mr. Rumsey's name, said "\$25."

Q. Who said that?

A. Mr. Eaton, I think; and Mr. Crowley I know made a laughing remark "What, Rumsey down for \$25!" He said "Yes." Crowley said "Well, he is a cheap man for that," or something of that sort; made some remark in that way. I could not state positively what it was. (Laughter.)

Q. Who made this remark?

A. Mr. Crowley.

Q. What else took place?

A. I think that is about all of the conversation, only I think Mr. Dakin said that he wished that Gov. D. H. Jerome was down here. I spoke up and I said "Yes, I wish he was, for there are lots of members here that he could explain this matter to that you and I cannot. There is nobody unless it would be a few Grand Army men that I could get acquainted with and talk it over with, that I could lay this matter before and make any impression upon their minds," or something to that effect. Those are about the words, perhaps not the exact words. That is all I can remember. Mr. Dakin said, "Now if you have any money to use give it to Fellows." That is about all I can remember of the conversation now that I can bring to mind that was said in there. I think that Eaton—in fact I am sure he did—asked Dakin what he intended to do with that money, how he intended to use it, and Dakin said, "Why, in a social way of course."

Q. What else was said with reference to the disposition that should be made with the money, if anything?

A. I don't think of anything more there.

Q. Did you hear Mr. Eaton's testimony with reference to what was said about Grand Army men, or "G. A. R." men?

A. Mr. Dakin did not say anything about Grand Army men there. All there was said there was what I said as I have stated.

Q. What if anything was there said about giving a party at the Eichle house?

A. Nothing at that time.

Q. At any other time?

A. When we went over there somebody said it was about dinner time, we had better go and eat dinner, and we went out of there and Mr. Crowley and myself and Dakin went down to the Eichle House, and Mr. Dakin went through into the back room and I followed him right in there and I says, "Dakin, what's the matter with you? Are you drunk or crazy?" He said, "Why?" I says, "What made you go and check off those names and set down those figures?" He says, "I don't know why." I says, "Now, that man may make you some trouble about that." He says, "I guess not." I says, "I hope he won't, but you have left it open where he has got a good opportunity if he sees fit." He says, "No, I don't feel any alarmed about it." So we went down to dinner, and after we came up we sat down there in the room. Perhaps we had sat there five or ten minutes and Mr. Dakin spoke, "What

kind of a scheme would it be if they give you any money to have a party here to the Eichle House?" I says, "Here?" He says, "Yes, we can clear out the dining-room, and it is a splendid place to dance and we will have a good old time."

Q. Did he say to you at that time that there had been any legislative parties there—that members had congregated there and held parties?

A. No, sir; I don't think he did; I don't remember it if he did. I merely said, I didn't know but what it would be a good idea, and if there was any money came to me, if he was a mind to invite the crowd there I would pay the bills as far as the money went.

Q. Let me call your attention to Mr. Eaton's testimony regarding what he said about furnishing the money. Did he give Mr. Dakin and yourself to understand that it was possible that he himself might furnish this money?

A. Yes, sir.

Q. Aside from the time you have mentioned?

A. Yes; we talked it over, and he said that he intended to furnish us some money to spend in that way.

Q. In what way?

A. In a social way in entertaining the members of the House.

Q. Did you hear Mr. Eaton testify yesterday that Mr. Dakin said Mr. Shackleton had come down here and he was expected to bring some money to put this bill through the House, but he didn't bring any except seven dollars "And he gave that to us and we have used it, but it didn't amount to anything, and he has gone back to Saginaw to get some more money?"

A. No, sir, that was not said in my presence.

Q. In your conversation in Mr. Dakin's presence that morning was anything said about any money being furnished for the purpose of corrupting or using with or paying to any members of the Legislature?

A. No, sir.

Q. Are you pretty positive about that?

A. I am positive about that; there was nothing said in my presence.

Q. What did Mr. Eaton do when Mr. Dakin hesitated, as Mr. Eaton testified yesterday, about putting any marks opposite the names of the members?

A. I don't know that he done anything any more than he asked him to put the figures down there merely to foot up about what amount he thought would be necessary to use.

Q. Please state for the benefit of the House what position they were in? Was Mr. Eaton standing over Mr. Dakin as I am over Mr. Bates, or were they sitting down by a table with their heads together?

A. They were sitting the same as one of them here and the other around on the opposite corner of the table.

Q. Did Mr. Eaton act in any way surprised or startled because of the conversation there, or in his manners?

A. Not that I noticed.

Q. You heard Mr. Eaton state yesterday in answer to the question as I read the second name that read Mr. Allen, he said "There is a man I want to see?"

A. No, sir; there was not such a remark made that I heard.

Q. Was there any intimation or insinuation that Mr. Rumsey or any one of the 15 men named could be corrupted or prejudiced in any way with money?

A. No, sir.

Q. Did Mr. Dakin in your presence and in the presence of Mr. Eaton on the

occasion I have referred to here repeatedly disclaim that any money could be used in a corrupt way?

A. Yes, sir.

Q. Or used with members direct?

A. Yes. I heard him make that observation three or four different times.

Q. Did Mr. Dakin state to Mr. Eaton that it was common to have parties or gatherings and use money here in Lansing through the Legislature in a social way?

A. No, sir; I don't remember that he said that. He might have.

Q. Was there anything of that import?

A. I don't recall it to mind now if he did.

Q. You wanted money to use, you say, in a social way. From whom did you get the idea that money could be used in a social way?

By Mr. Conductor Diekema—That is objected to. We are not here to investigate the sources of this gentleman's ideas.

Mr. Dodge—It seems to me that that is very proper. The gentleman has been accused of getting money here to use socially with members and we want to show what his motive was, where he got the idea that money could be used, and legitimately too, in that way. I do not know but that the idea originated with himself. In justice to the witness it seems to me that he ought to be permitted to make that statement. I have no knowledge as to what he will testify upon that subject. It certainly is a matter of information for the members of this House, they ought to know all there is about this and not have anything concealed from them by a technicality, but let everything be opened up so that every member may understand the motive of this man. If Mr. Fellows was down here with any design and purpose in his mind, or came here and originated a scheme for the first time of prejudicing members in a social way we would like to know it. If Mr. Fellows understood from somebody else that it would be proper, and right, and legitimate to use money for social purposes, we want to know it.

Mr. Conductor Diekema—We are certainly desirous that every bit of information relative to the questions at issue shall come before this House. We are not trying this witness. There are no accusations whatever against the witness. We are trying Mr. Dakin under certain accusations and this testimony is entirely incompetent and immaterial.

Mr. Dodge—I submit that the testimony in this case has disclosed some very unpleasant things for Mr. Dakin and the rest of these gentlemen. Certainly when a witness upon the stand Mr. Crowley said that he believed this money was to be gathered for the purpose of putting it down in Mr. Fellows' and Mr. Dakin's pocket. I think the members ought to understand whether Mr. Fellows had any such intention or not.

The Speaker—We will let the witness answer.

A. I cannot say that I ever heard any such intimation, Mr. Dakin and I talked it over among ourselves.

Q. Do you know whether or not it is true that money is frequently used in a social way, and cigars given to members of the Legislature in a social way?

A. I understand so; I do not know it to be true.

Q. Have you ever been in any of the committee rooms, either in the House or Senate, and had your attention called by the way of a poster or card that in order to get legislation through a few cigars would be acceptable, or something of that import?

A. Yes, I have.

Q. State what there is about that?

A. This is all I know about it. I have seen in one or two rooms here something of the kind.

Q. What rooms were they that you saw these cards in ?

A. I could not tell you, some of the rooms up stairs.

Q. What committee used those rooms ?

A. I don't know.

Q. How did you happen to be in those rooms ?

A. I was called up stairs; I think that they were to have an investigation there, or something of that kind, I forget now.

Q. You say you saw a card in one of the committee rooms?

A. Yes, sir.

Q. What did the card read as well as you can remember?

A. I think one read "We smoke" or something of that kind. I didn't pay much attention to it.

Q. Did it say anything about "Up goes your bill?"

A. Yes, I think it did.

Q. Up goes your bill if what?

A. I didn't pay much attention to it; I don't remember.

Q. You supposed it was put up there for some facetious purpose. Did you have any idea about it?

A. I thought it was a kind of a way of getting a cigar once in awhile.

Q. Have you ever seen that kind of a card in any of the other committee rooms?

A. No, sir, not that I ever noticed.

Q. Have you ever seen any over in the Senate?

A. No, sir, I never was in but one committee room in the world.

Q. Is it not currently reported generally around the capitol here that cigars are given to the members and they are treated socially by parties that are interested in legislation; and have you not heard of the meetings of the Third House, where oranges and cigars were given away, and things of that kind generally by persons that claim to belong to what is called the Third House?

A. I cannot say that I have.

Q. I ask you now if you do not know from general report about the Speaker of the Third House, and about their meeting there and about their assessing men that are here in the interest of legislation?

Mr. Conductor Herrington—We have nothing to do with the Third House, and we object to that.

The Speaker—The gentleman better confine his questions to the Legislature proper.

Mr. Manley—I would like to ask the attorney the question if he is not a member of the Third House.

Mr. Dodge—I am not. Ex officio, as people say, perhaps I am; I have been a member of that house, but I am not one at the present time.

It is not for the purpose of jest or laughter, but simply for the purpose of showing that these men get this idea, coming as they do in the interest of legislation, that money can be expended in those social ways for the purpose of entertainment and for such purposes as are regarded as perfectly legitimate, and for aught I know are legitimate.

The Speaker—The chair is of the opinion that it would be better to confine it to transactions with members of the Legislature proper.

Q. It is suggested that I ask you if there is a card in the room of the com

mittee on municipal corporations, before whom the Saginaw charter was to be argued, with reference to the giving of cigars; a card referring to the giving of cigars?

Mr. Conductor Herrington—I object to that, as the card is the best evidence.

Mr. Dodge—We simply want to know where it is. We do not want the wording of it.

Mr. Herrington—I submit if there is any such card they could produce it.

Mr. Dodge—I submit that is another caprice objection. I simply want to know if there is a card there. I do not ask for the contents of the card.

The Speaker—Omit that part of the question.

Q. Was there a card in the committee room on municipal corporations, before whom the Saginaw charter was to be argued, hanging up in the room.

A. I could not say, I did not notice.

Q. You don't know what room this was in that you saw this card?

A. I do not. I saw a card somewhere, in some committee room or in the hall, some place up there. I do not know where it was.

Q. You say you have known Mr. Dakin for eight years?

A. About eight years.

Q. During your term of office as councilman did the nomination of Mr. Eaton, the complaining witness, come before your body for confirmation as city attorney of Saginaw City?

A. Yes, sir, it did.

Q. What was done with the nomination by that body?

Mr. Conductor Herrington—We object to that. The purpose of this must be to impeach and it is upon an immaterial point, and the rule is well settled that you cannot impeach a witness upon an immaterial point.

Mr. Dodge—We do not have any intention of that kind in view. We simply want to know something about the relationship between Mr. Fellows and Mr. Eaton, and we simply want to know whether or not he was actuated to do what he has done in this matter because of the fact that he was rejected by the common council of Saginaw for the position of city attorney. It already appears in evidence from the lips of Mr. Eaton that he was rejected by that body, and now I submit that we have a right to show by Mr. Fellows that he himself voted against the confirmation of Mr. Eaton as city attorney. Certainly it can do no harm. Mr. Eaton testified to that fact.

Mr. Conductor Herrington—Then I object to it as repetition.

Mr. Dodge—We do not know whether we have got the truth about it, and we would like to have Mr. Fellows' testimony.

Mr. Conductor Herrington—It is either impeachment or repetition, and it is incompetent in either case. You say he has already testified to it. If it is in once it is repetition. If he told an untruth then you are trying to impeach him and you cannot impeach him upon an immaterial point.

The Speaker—I think we will not take this answer.

Q. Have you ever at any time heard Mr. Dakin suggest, either on the 18th, 19th or 20th of April, or indeed at any other time, that any one of the members of the Michigan Legislature of this session could be approached in an illegitimate or corrupt and improper way?

A. No, sir, I never have.

Q. Have you ever heard him say anything about the impossibility of any of them being approachable with money. I mean by that have you ever heard him

say that he did not believe, and felt very positive that none of them could be approached improperly?

A. Yes, sir, I have.

Q. How many times have you heard him state that?

A. At least three times.

Q. Whereabouts was he?

A. I heard him state it here in the capitol. I heard him state it on the corner and also on one other occasion. I don't know that he stated it so positively in there, but he said only in a social way. Mr. Eaton asked him how he intended to spend that money, and he said in a social way.

Q. I think I understood you to say that you came down here at the special solicitation of Mayor Shackelton and the Recorder?

A. No, sir, I came at the special solicitation of the mayor.

Q. You were in the army, were you not?

A. Yes, sir.

Q. And you are a member of one of the organizations.

A. Yes, sir.

Q. What organization?

A. The Grand Army of the Republic.

Q. Was there anything said about your coming up here for the reason that you might be able to see members of the G. A. R.?

A. It was spoken of that probably I might see some of the Grand Army men. I told them I was not acquainted with any of the Legislature and they had better send some one else. They said, "You are a Grand Army man, there are quite a number of Grand Army men there, and there are perhaps some of them that you can talk with better than anybody else."

Q. Was there any understanding with Dakin, or did you have any understanding with yourself or thought that you would get money and convert it to your own use, as has been intimated by the witnesses here on the stand?

A. No, sir, we never did.

Q. During your acquaintance with Mr. Dakin have you ever discovered that he was a man of any bad habits or vices?

A. No, sir.

Q. What have you to say in regard to his conduct and deportment at home, and his general reputation for honesty?

A. I consider he has a good reputation at home.

Q. Did you ever hear breathed or insinuated the first word derogatory of Mr. Dakin until this matter occurred?

A. No, sir, I never did.

Q. I am requested to ask by a member, did you hear anything about Mr. Dakin acting improperly in connection with the first charter bill for Saginaw City?

A. I heard it intimated. I don't know that I could name the person. I talked more with Mr. Dickson, our controller, about that than any one else that I can think of. He thought he had done a wrong thing.

Q. State what there is about it?

A. It appears that there was a committee appointed to revise and amend the charter of the city of Saginaw, and I think Mr. Eaton, Mr. Dickson, Mr. Rust and Mr. Shackelton were that committee, and they drew up a charter, or amendments to a charter, and the amendments were almost a new charter, and gave it to Mr. Dakin to present to the House. In place of presenting

that he presented what they called the labor man's charter, gotten up by the labor party.

Q. Which charter did Mr. Dakin favor ?

A. The labor charter.

Q. Which charter did you favor ?

A. The charter that the council had submitted.

Q. You and Mr. Dakin did not agree as to which charter should be passed by the Legislature ?

A. I want to tell you how I felt about the matter.

Q. Please do so.

A. There were some amendments.

Mr. Conductor Herrington—I object to that. What difference does it make in the trial of Mr. Dakin what this man thought about a certain charter ?

Mr. Dodge—This question was asked at the suggestion of one of this party. I asked him about the report circulated with reference to Dakin's actions here and now we want the witness to state in answer to that question not only what he understands but the whole transaction. It is proper, and I think the members of the House generally want it.

The Speaker—The objection is overruled.

A. I did favor some amendments being attached to the charter that was gotten up by the mayor and controller and city attorney and committee, but it was not attached ; and it was the unanimous vote of the council to adopt the other charter and I thought Mr. Dakin did wrong in not presenting the charter that was adopted by the council.

Q. That is all you to desire say ?

A. Yes, sir.

Q. When you were elected to the city council of Saginaw City, by what party were you elected ?

A. By the republican party.

Q. You are a member of that party in good standing ?

A. No, sir.

Q. Of what party are you a member ?

A. I ran for the same office on the union labor ticket and was defeated.

Q. You are a republican Knight of Labor, is that correct ?

A. That is about it.

The Speaker—Some questions have been sent to the desk : Did you use any of the \$30 you claim to have spent, with any of the members of the House, and if so, what were their names ?

A. I did not spend it with any of them that I know of.

Q. What do you mean by spending money with the members of the House in a social way ?

A. I mean that Mr. Dakin talked of having a party and inviting some of the members down there and having a social time in that way. That was his idea of it.

Q. Were you in hearing distance of Mr. Eaton and Mr. Dakin during their whole conversation on the 19th of this month in the rotunda of the capitol ?

A. Yes, sir, I was.

Q. Might not Mr. Dakin and Mr. Eaton have held a consultation at that time and you not hear what they were talking about ?

A. They did not. We were all talking together. I stood there listening.

Mr. Dodge—I wish to call the attention of the witness to one answer that he made. Did you mean that you were a Knight of Labor ?

A. No, I meant the Labor Union party.

Q. You are not a member of the Knight of Labor organization?

A. No, sir.

The Speaker—This question is asked: Are you sure that you talked with any other member of the House about the Saginaw charter than those you have named, Mr. Bates, Mr. Oviatt, Snow and McGregor?

A. Mr. Linton also. I think that is about all of them, and Mr. Green.

By Mr. Dodge :

Q. You say you appeared before this committee and made a full statement of what you expected to testify to here on this occasion?

A. No, sir.

Q. Did you make a statement in answer to their questions substantially as you have testified here on the stand, so far as they interrogated you upon those points?

A. Yes, sir, I think I have as near as I can remember now.

Q. That committee that I refer to is the one conducting the transaction in this case, is it not?

A. Yes, sir.

Q. Did they say anything to you about their wanting you to remain in here as a witness, or that they did not want your testimony or anything to that effect?

A. I think they did say they wanted me to remain here as a witness, to be here at ten o'clock the next morning.

Q. Which one of the members?

A. I think it was the gentleman who stands up there now—(Mr. Diekema)—I cannot call him by name; I think he told me that if I remember right.

CROSS-EXAMINATION BY MR. DIEKEMA.

Q. Before whom did you first appear, or did you first give a statement of this whole affair?

A. I first gave it to Mr. Dodge.

Q. At what time?

A. I am sure it was the next day after the exposure here in the House.

Q. About what time?

A. I cannot remember, but I think it was in the forenoon sometime.

Q. Did you give a full statement of all this at the time?

A. No, sir; about the same as I did before the committee.

Q. Was that before you appeared before the committee?

A. Yes, sir.

Q. Who asked you to go up to Mr. Dodge's office?

A. I think Mr. Dakin wanted I should go up.

Q. Is this the first time you went to Dodge's office on this business?

A. No, sir; I think I was up there the night before in Dodge's office.

Q. Was that the same night that the exposition took place in the house?

A. I think it was.

Q. Who asked you to go up?

A. Mr. Dakin.

Q. Did you see any of the attorneys before you made a statement to this committee about this matter.

A. Yes, sir, I saw Mr. Holder.

Q. Where?

- A. I saw him here first.
- Q. Made a statement to him?
- A. No, sir, I did not.
- Q. When did you first make a statement to him?
- A. I never did.
- Q. Did you ever talk with him upon this subject?
- A. I have talked with him some but he did not make any statement.
- Q. At what time did you first talk with him about it?
- A. I don't remember whether I talked with him any about this matter when he was out here. I cannot remember that I did. I know you spoke about that in the Committee and I have tried to think about it since.
- Q. Did you talk to him in Saginaw about this matter?
- A. Yes, sir, we talked some about it.
- Q. What time?
- A. It was on Sunday.
- Q. Did you go up to see him before Sunday to his office?
- A. Mr. Dakin requested me to see Mr. Holden and have him to be sure and appear here Monday morning. I told him I would do so, and I went up to his office and he was busy and he wanted to know if I could not come over to his office in East Saginaw the next day, and I told him I would.
- Q. That was on Sunday?
- A. This was Saturday I saw him in his office at Saginaw City.
- Q. Did you go to see him on Sunday?
- A. I did.
- Q. At what time?
- A. I think I got over there about half past ten if I remember right.
- Q. How long did you stay there?
- A. I staid about an hour and a half.
- Q. Did you talk over this subject?
- A. We talked on this subject some.
- Q. That was all before you saw the committee?
- A. Yes, sir,
- Q. What time did you first come to Lansing about this charter business?
- A. It was in the month of March; I can't remember what date it was.
- Q. How often have you been here in all?
- A. I have been here three times in all.
- Q. Does that include this time?
- A. That includes the time I was here last week.
- Q. This is the fourth time?
- A. Yes, sir.
- Q. At whose request did you come the first time?
- A. I was appointed by the council as one of the committee.
- Q. Did you appear before the committee here in the House?
- A. No, sir, it was the time that the bill was in the Senate committee and I came down a day ahead of the time.
- Q. What bill was that in the Senate committee?
- A. The labor charter as they call it.
- Q. In the interest of what bill did you come here?
- A. I came in the interest of the Saginaw City charter.
- Q. Was that the charter in the Senate that day?
- A. No, sir.
- Q. So you came in the interest of the original bill as prepared?

A. I had talked with Mr. Dickson and he advised me to advise Dakin—to see if I could not advise him—to get that bill back, to let the other one be presented, and not to try to fight it.

Q. You came here, then, in order to have that substitute bill withdrawn, did you?

A. Yes, sir.

Q. Was there any committee meeting in the House at that time?

A. Not that I know of.

Q. When did you next come here?

A. If I remember right it was about a week after that.

Q. Who requested you to come at that time?

A. Mr. Dickson.

Q. What office did he have there?

A. He was city controller.

Q. How long did you stay here the first time?

A. I think I was here three days.

Q. How long did you stay here the second time?

A. I think the second time I was only here two days. I would not be positive how long I did stay either time.

Q. On what day did you come the first time?

A. I think I came on Monday the first time.

Q. What time on Monday?

A. Well, I think it was on the evening train.

Q. What day did you return?

A. I think I went home Friday

Q. That would be more than three days, would it not?

A. Yes, sir, but I say I am not positive whether I am stating that correctly or not, because I don't remember just how many days I was here or what day it was when I went home.

Q. Will you be positive it was not Wednesday you went home?

A. No, I could not be positive. I think though that I staid three days.

Q. Will you swear positively that it was not on Tuesday you went home?

A. Yes sir, I could, I think.

Q. You will not swear positively that it was not on Wednesday?

A. No, sir, I will not.

Q. At what time did you go home on the day you did go home.

A. I think I went home on the evening train from here.

Q. Who was with you the first time you came from Saginaw on this business?

A. There was not nobody came out only myself. I came out a day ahead of the rest of the committee.

Q. Who returned with you?

A. I think the whole committee went back.

Q. Who were they?

A. That is all those that were down here. I think Mayor Hill was here, and Mr. Shaekelton and Mr. Caddington, Mr. Hudson and I think Mr. Auston. I can't remember all of them. I know there were quite a number down.

Q. Did they return with you?

A. I would not like to state whether we all returned together or not. I cannot be positive.

Q. You don't remember whether you went home alone or with the other members of the committee?

A. I know I went home with some of them but I could not state which ones;

I didn't pay any attention, and I don't remember about that. I know I was down here and went back again.

Q. Did you speak to any of the members of the House, at that time, about this bill?

A. At that time?

Q. Yes, on your first visit.

A. I don't remember that I did.

Q. Would you remember if you did speak to them about it?

A. I think I should.

Q. So your best recollection is that you spoke to no member of the House except to Mr. Dakin about this bill at that time?

A. I don't remember that I did.

Q. Did you become acquainted with any of the members of the House at that time?

A. Not what you might call acquainted. Mr. Dakin introduced me to quite a number of the members, but I don't remember their names, and don't remember now who they were.

Q. Did you have any social time with any of the members during your first visit?

A. No, sir. I did not.

Q. Not any?

A. No, sir. Not that I know of.

Q. Did not spend a cent of money with any of them?

A. No, sir. Not that I know of.

Q. What day did you come down here the second time you visited Lansing?

A. I could not state either what day I came down the second time.

Q. About how long after your first visit?

A. As I stated, as nearly as I can remember now, I could not remember positively. I think it was about a week after my first visit.

Q. How long did you stay?

A. I think I stayed two or three days that time.

Q. Where did you stop over night during your first stay in Lansing?

A. At the Eichle House.

Q. Where did you stop the second time?

A. At the Eichel House.

Q. With whom did you room there?

A. I think I roomed with Mr. Dakin every night that I have been here, excepting one.

Q. Did you speak to any member of the House about this Saginaw charter bill the second time you came?

A. Yes, sir, I think I did. I think I talked with Mr. McGregor.

Q. What did you say to Mr. McGregor about the bill?

Mr. Dodge—If the Speaker please, I object to going into the details of what Mr. Fellows said to these several members. It is quite impossible, I should say, for the witness to remember, and certainly it is very unfair for my brother to insist on giving the conversation with the several members. If he had conversations with them, that certainly is enough it seems to me, at least it ought to be if it is material at all.

Mr. Conductor Diekema—Almost every one of these members whose names have been mentioned here have requested me to ask the question as to what the conversation was, and I hope the question will be allowed.

The Speaker.—The witness will answer the question.

A. I could not say what I did state.

Q. Did you urge him to pass this bill; talk to him in any way about his helping you with reference to this bill?

A. I think I talked with Mr. Oviatt that time.

Q. Mr. McGregor first?

A. I don't remember what I did say to him about it.

Q. What did you say to Mr. Oviatt?

A. I talked to him something in regard to the amendments that some of them wanted to put on, asked him what he thought about it and so on.

Q. That was at your second visit?

A. Yes, sir; I think it was.

Q. Where did you have this conversation with Mr. Oviatt?

A. In the hall here.

Q. Did you give Mr. Oviatt anything, a cigar or anything of that kind.

A. No, sir.

Q. With whom else did you have a conversation?

A. I think those are all the members of the Legislature that I talked with while I was down here.

Q. Mr. McGregor and Mr. Oviatt were the only men you talked to?

A. I think they were. I don't remember talking with any of the other members. I don't recollect it now.

Q. Did you have any conversation with Mr. Snow about this matter?

A. I don't think I ever spoke to Mr. Snow about the charter at all, until the last time I was down here, and then just merely asked him what he thought about it.

Q. What did you say to Mr. Snow about it?

A. As I said I just merely asked him what he thought the prospects would be of getting it through.

Q. Where was that?

A. That was here in the House.

Q. Did you spend any money with Mr. Snow?

A. No, sir, I did not.

Q. Did the council pay you for these two trips?

A. Yes, sir, they paid me \$15 for the two trips.

Q. And what time did you get the money?

A. I got it I think the first meeting in April, if I remember right.

Q. What day was the first meeting in April as nearly as you can recollect? Was it during the first week in April?

A. I think it was about the fourth or fifth of April, somewhere along there.

Q. What was that fifteen dollars for?

A. Our railroad fare and hotel bill.

Q. Didn't you state upon your direct examination that you had already spent thirty dollars before that time of your money?

A. I said that I had spent thirty dollars of my own money that I never got back on those two trips that I was down here.

Q. You expected the council to pay you for your expenses, did you not?

A. At that time?

Q. To pay you for your expenses when you came here?

A. My regular expenses, yes sir, my hotel bill and car fare. That is all I expected, all I put in a bill for.

Q. Did you ever spend a cent of money in the presence of any of the members of this House while in Lansing?

A. Not that I know of.

Q. Was this whole thirty dollars for your private expenditures during the first two visits and outside of any of the members of the House of Representatives?

A. So far as I know, it was outside of any member of the House?

Q. Will you tell this House how you happened to spend thirty dollars outside of your board bill and your railroad fare?

Mr. Dodge—That is objected to.

The Speaker—The witness will answer the question.

A. I spent it around for cigars and such like as that.

Q. Do you mean to say you spent thirty dollars for cigars?

A. No, not entirely, for drinks and such like.

Q. Drinks with whom?

A. I don't know as I can tell whom.

Q. Did you get drunk while here in Lansing?

A. I did not.

Mr. Dodge—I object not only to that question but to the insult offered to the witness. If the Speaker will have noticed the questions put by counsel, he will agree with me, I think, that his manner is very unkind to say the least. For instance, has asked the witness "Do you solemnly swear upon your oath." or on a number of occasions asked him "if this was upon his oath," or something to that effect; has wanted to know when he has made a statement on several occasions if that was especially upon his oath. He has asked him "Do you swear upon your oath so and so." Now he asks the witness if he spent this money getting drunk. If he spent this money outside the members of the Legislature, I submit that how he spent it is not any concern of the Legislature.

The Speaker—What is the question?

The official stenographer read the question as follow: "Did you get drunk while here in Lansing?"

The Speaker—The chair thinks it hardly necessary to ask that question.

Q. I understand, then, Mr. witness, that the whole of that thirty dollars was spent on your first two visits here in Lansing outside of regular expenditures.

A. That is what I claim; yes, sir.

Q. Did you spend any more than thirty dollars?

A. No; it was about thirty dollars that I spent.

Q. Did you not spend a part of it playing pedro with Mr. Dakin?

Mr. Dodge—That is objected to.

Mr. Speaker: Whether the question is asked in good faith, I know not; but if so, he had a right to spend the money in his own way, and it is not material to this issue, if the money was spent outside of members of the Legislature.

Mr. Conductor Diekema—I desire now to answer the general proposition of the attorney upon the other side. He has accused me of asking the witness, "Do you solemnly swear?" I myself consider an oath a very solemn thing, and I desire to so impress it upon the witness. This question goes to show the general character of the witness as to his habits while here in Lansing, and it is proper that the members of this House, before whom this wit-

ness appears, shall know how to make up their minds as to the honesty of his statements. I insist that it is proper.

Mr. Dodge—I would like to ask counsel if he regards it as making the oath any more binding to ask these questions in the way that he does?

The Speaker—the witness will answer the question.

A. What is the question?

The official stenographer read the question as follows:

“Did you not spend a part of it playing pedro with Mr. Dakin?”

A. I spent some of it that way.

Q. Where?

A. At the Eichle House, most of it.

Q. Where did you spend the most of this money while in Lansing?

Mr. Van Zile—I object to that question. It seems to me that my friends upon the other side will hardly press that kind of a question. I fear my friends are forgetting what the issue is here. We started in here to investigate something about these charges that were made against Mr. Dakin. We are now trying to find out what this gentleman, who is not a member of this House, spent as a private citizen.

Before they have finished up they will not be satisfied with finding out what he did in Lansing, but I expect the next thing we will hear from Saginaw as to what this gentleman has spent there with some of his friends. Can it be possible that we are to recognize the fact that these gentlemen have sat here and solemnly passed some rules, among which is rule 6, that we shall proceed according to the rules of evidence in courts of justice, and yet have such questions as that put to a witness as to what he has spent outside of the members of this House. I submit that it could not be proper unless it was something spent here with reference to the corruption of the members in regard to this bill. My brother wants to go outside. He wants to bring in something about what this gentleman has done among the citizens of Lansing or the friends he had met here. I say that is preposterous to ask that question. It is entirely outside of the rules of evidence. Let us be confined by the very plainly written laws of evidence, and ask the witness questions that pertain to the case.

One word further if I may be borne with. My brother says he wants to prove the character of this witness. How? By proving that he spent money with some men that he met in Lansing, who perhaps came from the city of Detroit, and spent it in a way that my friend here would not approve of. By that means he expects to break down the character of this witness. There are ways laid down for the impeachment of a witness, but this is not one of them. It is not the proper thing. It is a very improper thing to go into the private affairs of a witness, even if he is upon the stand testifying and council is cross-examining him. There is not any issue to which this question is material, and so I say that the objection ought to be sustained.

Mr. Conductor Diekema—One of the charges here, Mr. Speaker, is that money was endeavored to be obtained ostensibly for the purpose of using it among the members, but really to appropriate it to private use. We propose to show here that this gentleman spent no thirty dollars over and above his regular expenses here in Lansing. That is what we are now after. One of his statements on direct examination is this, that he did spend thirty dollars over and above the fifteen dollars he said he was paid by the common council of Saginaw, making forty-five dollars while here in Lansing, and we don't believe a word of it, and will endeavor to prove our statements.

Mr. Dodge—Who was the charge preferred against?

Judge VanZile—There is no charge here that the private property or money that belongs to this witness was ostensibly gotten and converted to his own use. It is the moneys that they proposed to get from some other parties in Saginaw. Now he is talking about \$30 of this witness' own money that they spent, and he wants to know "How did you spend your own money, \$30 of it," not what he got from the citizens of Saginaw. That is not the question here at all. More than that, there is not a syllable of proof in this case thus far that the citizens of Saginaw ever supplied these gentlemen with one cent of money, except the money that was left here by the mayor just as he was leaving town, when this gentleman told him he was out of money. Outside of that there is not a syllable of proof in this case.

The gentlemen have not asked the witness, so far as I now recollect, whether or not there was any pool made up in Saginaw and given to this gentleman. It is not in proof. It is not charged in the charges here. It is the private money or purse of the witness there that they are undertaking to get an account of as to how he spent it and who he spent it with.

The Speaker—Would it in any way affect the credibility of this witness if it should be proven that he did not spend \$30 here?

Judge Van Zile—This is the rule that must always govern in the admission of proof. No matter whether it affects his credibility or not, you can ask him no question in a court of law except it be a question that is relevant to the issue. If there is any question that is relevant to this issue that can be asked in any way to affect his reputation and character, ask it.

You can only go outside of that by proving that he made different statements out of court from what he made in court, and then you must ask him with reference to statements out of court, that if made in court would be relevant to the issue, and one other thing is his reputation among neighbors for truth and veracity. Outside of those there is no other. If it were otherwise we could go over the whole domain of all the gossip that ever comes to curse a town.

Mr. Conductor Deikema—If the gentleman will bear in mind that this is cross-examination he will certainly recognize this fact, that it is our privilege to sift every statement made by this witness upon his direct examination. One of those statements was that he had spent \$30 here in Lansing over and above all other expenditures, and that \$15 of this had been paid back to him by the city of Saginaw, and I am now here to test the truth of this statement.

Judge Van Zile—Will the gentleman allow me to ask him a question?

Mr. Conductor Deikema—No, sir.

Judge Van Zile—If the gentleman will not permit me to ask him the question, I would like to have him state, upon his reputation as a lawyer, if upon cross-examination he can go outside of this rule, and ask questions that are not relevant to the issue. If he has permitted us to ask questions that are irrelevant to the issue upon the direct examination, we are not to blame for it. He should have objected and had them stricken out. If we have gone outside of the issue then he must be content with it, for he is here to watch and see that we keep within the issue. If the subject is not relevant to the issue it is no more proper from cross-examination than upon the direct.

That is the rule of evidence and there is no question about it.

Mr. Conductor Deikema—The rule of evidence is very clear, and we have a complete right so sift anything that the gentlemen have seen fit to bring out in the direct examination. He may now be sorry for having brought it out, but after it has once been brought out we have a complete right to sift it.

The Speaker—Let the witness answer the question.

A. I spent the most of it at the Eichele house that I did in any one place I believe.

Q. During what time, your first or second visit?

A. My first and second visit I was spending money there all the time, that is, evenings, and through the day sometimes; there and other places.

Q. Did you spend the greater part of it playing pedro with Mr. Dakin?

A. Not the greater part of it. I played pedro with others a great deal. I played with him some.

Q. For money?

A. No, sir.

Q. Just explain how you spent it?

A. Well, spent it as I told you for drinks and cigars and with some of the boys that was down here from Saginaw and some strangers here that I didn't know.

Q. Then you cannot answer now that this whole \$30 went for cigars and liquor.

A. The most of it did, yes.

Q. Where did the rest of it go?

A. I cannot say that any of it went for any other purpose.

Q. Do I understand you now to answer that all of the \$30 went for cigars and liquor?

A. Yes, sir.

Q. Was Mr. Dakin present all this time when you were spending this money for cigars and liquor?

A. No, sir, there was some of us, some of the delegation from Saginaw here when he was in the House.

Q. At what house did you register when you came here?

A. At the Eichel house.

Q. Did you register immediately upon your arrival here in Lansing?

A. I don't remember whether I did or not.

Q. When you arrived here the first time at what time did you register?

A. I don't know whether I registered at all or not the first time, but I think I did. I think the night I got here I didn't register, and I think the next morning Mr. Dakin spoke and says: "Come up here and register, why don't you." I was staying with him and I never thought of it.

Q. At what time did you come here on the third visit to Lansing?

A. I came here on the 3rd day of April?

Q. Do you remember what day of the week it was?

A. It was on Monday.

Q. Who sent you there?

A. Mayor Shackelton came to me first.

Q. On what day did he come to you?

A. On Sunday.

Q. What did he ask you to do?

A. He asked me to come down here to Lansing with Mr. Dakin and do what I could in the interest of the charter.

Q. Did Mr. Dakin ask you to come down?

A. As the mayor said to me, it was Mr. Dakin that requested that I should come down, Governor Jerome and himself and myself and the mayor.

Q. Did the mayor tell you that it was Gov. Jerome's desire that you go down?

A. No, that he told Mr. Dakin to pick out his own committee that he wanted to go down here with him, and he did.

Q. What do I understand you Gov. Jerome said?

A. I didn't say Gov. Jerome said a word. I said that Mr. Shackleton told me that he requested Mr. Dakin to pick out what committee he wanted to come down here with him, and he said he would like to have Gov. Jerome come and myself?

Q. Was Dakin present during this conversation?

A. No, sir, there was nobody present but me and the mayor.

Q. Where was this conversation with the mayor?

A. It was in Saginaw City.

Q. Did the mayor at that time agree to pay your expenses?

A. Yes, sir.

Q. What did he say about expenses?

A. It was as I stated. I told him that I was already out about \$30 on the Saginaw City charter, and I didn't propose to be any more out, and in fact I says "I have got no money to go with." He says "We will furnish you your expenses to go down there, if you will go."

Q. Didn't the mayor tell you that you should go to the controller and that he should speak to him about the money?

A. I will explain that if you will allow me. He told me that he would see that I got money to go with, and the arrangement was with me that I should meet him Monday night and we would come out together Monday evening and that he would speak to the controller and see if he could not get me some money advanced to come out here. And that evening Mr. Tillotson and Dr. Barber came up to my house and wanted to know if I couldn't come down the next morning. I told them that I was willing. They told me they wanted me to come back and see Mr. Dakin and if he hadn't just as soon come in the morning, and if he had to come down with him. So I went back and saw Mr. Dakin and he said he would just as soon come down the next morning as any time, so we came in the morning, and for that reason I didn't see the controller. There was nobody in the controller's office and I came down.

Q. How do you know there was nobody in the controller's office?

A. I don't know; I didn't go there to know in that way, any more than it was early in the morning.

Q. What time did you leave Saginaw?

A. I left at about 7:45 I think.

Q. Isn't the controller in his office at 7 o'clock?

A. I don't know; I don't think you will find him there very often at that time.

Q. What made you say there was nobody in the controller's office?

A. What I meant by that was that it was early and I didn't think there was anybody there; but I didn't go to see.

Q. Did the mayor tell you he was going there too?

A. No, sir, he did not.

Q. Did you ask him for any stated sum?

A. I did not.

Q. Did you state to the mayor what you wanted the money for?

A. Nothing more than my expenses was all.

Q. You stated to the mayor that you wanted your expenses?

A. Yes, sir.

Q. Did you tell him what those expenses would consist of?

A. I did not. There was nothing said.

Q. What did you mean by the word expenses?

A. I meant the money that I spent down here; that they would pay back to me, that they would bear my expenses.

Q. Did you mean for cigars and drinks?

A. Yes, sir.

Q. Did you intend to get the first \$30 back then?

Judge Van Zile—I don't like to object so often, but it strikes me that it would be pretty well to adopt the rule my friends have insisted upon and that he should be confined to what was said. What he intended to do is hardly relevant here. That is all hearsay anyway.

The Speaker—The counsel will confine his questions to what took place.

Q. Was there anything said at that time about what these expenses were to consist of?

A. No, sir.

Q. Had you explained to the mayor what you had spent the \$30 for?

A. No, sir.

Q. At what time did you arrive in Lansing that day this last time?

A. About ten o'clock.

Q. What did you first do?

A. We went right from the train up to the Eichle House.

Q. Who was with you?

A. Mr. Dakin.

Q. Were any others from Saginaw on the part of this committee present?

A. No, sir.

Q. What did you do that morning before twelve o'clock?

A. We came up here to the capitol.

Q. Was there a session upon that day?

A. Not until evening; no, sir.

Q. What did you do between the hours of ten and twelve that morning in the capitol?

A. We didn't do anything; only come up and walk around and go down town. I don't know just where we went.

Q. You spoke to nobody about this charter?

A. Not that I remember.

Q. Where did you get your dinner?

A. At the Eichle house.

Q. What did you do after dinner?

A. Went out around town.

Q. Did you speak to any person during that time about the charter?

A. I don't think we did speak to any of them until that evening, except we spoke to Mr. Linton.

Q. Where did you take your supper?

A. At the Eichle house.

Q. Were you in company with Mr. Dakin during that whole time?

A. I think I was.

Q. Did you talk over with Dakin during that time how you would get this charter through?

A. I don't think there was anything said about it then.

Q. Nothing said about the charter between you and Dakin?

A. I presume there was something said, but nothing as to how we should get it through.

Q. You arranged upon no plan?

A. No, sir.

Q. What time did you go to the house that evening?

A. I think we came here about half past nine or nine o'clock. We came up here just a little while before the session.

Q. Was there a session of the House that evening?

A. I think there was.

Q. What time did it adjourn?

A. I don't remember.

Q. Did you converse with any member except Mr. Linton and Mr. Dakin about the charter that evening?

A. I don't think I did; I don't know but I did speak to Mr. McGregor that evening; I won't say positively that I did.

Q. If so do you remember what you said to him?

A. No, sir.

Q. Have you, up to this time, heard any member of this House express his opinion against this bill?

A. Well, I don't think I ever did.

Q. Either before or after?

A. No, sir, not against it in particular.

Q. What conversation took place between Mr. Shackleton, Mr. Linton, Mr. Dakin and yourself during that evening here in the House?

A. We talked the matter over and Mr. Shackleton made him that proposition and Mr. Linton thought it was a favorable one, it seemed to him to be all right.

Q. Did you think it was all right?

A. Yes, sir.

Q. You expected the whole matter would be amicably settled then?

A. Yes, sir.

Q. What time did you leave the House?

A. I think it was about eleven o'clock if I remember right, or later. I think it was nearly twelve o'clock when we left here.

Q. Did you talk to any of the other members that evening?

A. No, sir.

Q. Where did you go when you left the capitol?

A. I think we went down here to a restaurant and got some oysters.

Q. How many of you?

A. Mr. Linton, Mr. Shackleton, Mr. Dakin and myself.

Q. Who paid for them?

A. I think Mr. Shaketon did, I don't remember.

Q. Where did you next go?

A. We went over to the Eichle House.

Q. Remained there over night?

A. Yes, sir.

Q. With whom did you room?

A. With Mr. Dakin.

Q. What did you do the next day?

A. We came up here to the House the next morning, I think we came here about nine o'clock.

Q. Did you meet any of the members before nine o'clock that morning?

A. I don't remember that I did.

Q. Did you have any conversation with the mayor before you came to the capitol?

A. Yes; we went down to the train with him in the morning.

Q. Who went over to the train with him?

A. Mr. Dakin and myself.

Q. Were you three alone?

A. Yes, sir.

Q. Did you have any conversation with the mayor about money on your way to the train?

A. Yes, sir. He asked me if I got any money before I left, and I told him no, and showed him what I had there, and he pulled out \$5 and gave me, and he pulled out \$2 more and gave it to Mr. Dakin.

Q. What did he say when he gave you the \$5?

A. He said that when he came out again that evening he would bring me some more, enough to bear my expenses while I was here.

Q. Was that all he said?

A. No, sir, he said that if anything happened that he didn't come back that night he would telegraph me.

Q. What would he telegraph?

A. He would telegraph so that I could get some money by telegraph.

Q. Did you ask him to bring any more money?

A. No, sir, I did not.

Q. Did you ask him for the five dollars in the first place?

A. I did not.

Q. What did he say to Dakin when he handed him the two dollars?

A. He handed him the two dollars and Mr. Dakin took it and he says, "Here, I don't want this." And he says, "Take it and buy some cigars." And Mr. Dakin says "I don't smoke," and offered it back to him, and he said then, "Take it and buy yourself some beer," and Mr. Dakin put the two dollars in his pocket.

Q. Was that all that was said to Dakin at that time?

A. Yes, that is all I remember that was said.

Q. Did Dakin ask the mayor for the money?

A. No, sir, not that I heard.

Q. Nothing was said, and] no money was asked for either by you or Mr. Dakin?

A. No, sir.

Q. I understand now that you have given the exact language that was used by the mayor to you and Mr. Dakin when the money was handed over?

A. Just as near as I can remember it, yes.

Q. Where did you and Mr. Dakin go after you left the depot?

A. We came back over town.

Q. Where did you go next?

A. I don't know. We were walking around town here I think until about nine o'clock. I could not say where we were in that time.

Q. Did you meet any members of the house?

A. I don't remember that we did.

Q. Didn't you talk about this charter to anybody?

A. Not that I remember of.

Q. Where did you next go?

A. We were here.

Q. How long were you here in the House?

A. I guess probably we were about three-quarters of an hour.

Q. Did you talk to any of the members about the charter?

A. No, sir, I did not.

Q. Were you with Dakin during this time?

A. I was with him the most of the time.

Q. Did Dakin in your presence talk about the charter?

A. No, sir.

Q. Where did you go next?

A. We went over town.

Q. Who did you meet on your way?

A. Mr. Eaton and Mr. Jay Smith.

Q. About what place in the capitol?

A. We met them down in the corridor or the rotunda.

Q. Who spoke first?

A. I could't say who spoke first; We shook hands and Mr. Eaton spoke and wanted to know how things looked in regard to the charter.

Q. Who answered?

A. I did. I said it looked first rate, and he wanted to know what Mr. Shackleton had gone home for, and Mr. Dakin spoke that he had gone home with Mr. Linton to fix up the matter betwixt East Saginaw and Saginaw City and to bring back some money for my expenses.

Q. For whose expenses?

A. "For Fellows," he said.

Q. Was that all the conversation?

A. No, sir; I think that Mr. Dakin then spoke and said that Shackleton came out here and only had ten dollars to pay his expenses and Fellow's, and that he would expect to bring out some more money with him to pay expenses, and I think Mr. Eaton asked him then if he thought any money could be used here with the members in the interest of the charter, or words to that effect.

Q. What was the next thing?

A. Mr. Dakin says "Why of course we can, in a social way."

Q. Did you say anything?

A. No, sir; I don't remember that I did.

Q. Did you have any conversation with Eaton at that time?

A. I told him this proposition that Mr. Shackleton had made.

Q. Was Mr. Dakin present at that time?

A. No, sir.

Q. Where was Dakin?

A. Dakin and Mr. Smith had gone on a little ways and Mr. Eaton says—or I says—"Here, Mr. Eaton," and he turned around and we stepped up towards the clock and I showed him the paper.

Q. Are you acquainted with Jay Smith, of Saginaw?

A. Yes, sir.

Q. The witness who testified here this morning?

A. Yes, sir.

Q. Did you hear his testimony?

A. I could not hear much of it.

Q. When Mr. Smith testified that Mr. Dakin said that the mayor had gone home to get some money to get the charter through, that was false, was it?

A. Yes, because I did not hear any such conversation.

Q. Where did you next go?

A. After we left the capitol?

Q. Yes.

A. We went down onto the corner here.

Q. What corner?

A. The corner of the two main streets down here.

Q. Whom did you meet there?

A. We met two or three going down that Mr. Dakin stopped and spoke to; I didn't know who they were.

Q. Did you speak to anybody about the charter then?

A. Not that I know of.

Q. Where did you stop?

A. On the corner.

Q. On what sidewalk did you go down?

A. On the left hand side of the street.

Q. Was anybody else present on the corner but you two?

A. Not at that time.

Q. What were you talking about at the corner?

A. I could not remember.

Q. How long did you stand there before Mr. Eaton came?

A. Perhaps five minutes.

Q. Were you talking about the charter during that five minutes?

A. I could not say what we talked about.

Q. You simply stood still?

A. Probably we were talking. I don't remember what about now.

Q. You don't remember a word that was said there?

A. No, sir, I do not.

Q. What happened next?

A. Mr. Eaton came up to us then.

Q. What conversation took place between Mr. Eaton and you at that time?

A. Mr. Eaton came up and he says "Fellows, Shackleton didn't bring you down any money."

Q. This was about five minutes after you had left Mr. Eaton in the capitol?

A. No, sir, it was probably 15 minutes after.

Q. Where had you been during this ten minutes?

A. As I told you before, Mr. Dakin had stopped along down the walk and talked with two or three people.

Q. How long did you stand talking with Mr. Eaton before Mr. Crowley came?

A. Mr. Crowley didn't come up to us there.

Q. How long did the conversation between you and Eaton last there?

A. He might have been there talking perhaps five or ten minutes, may be longer.

Q. When did you first see Crowley this morning?

A. After Mr. Eaton had left.

Q. What did you say to Mr. Crowley?

A. I don't remember what I did first say to Mr. Crowley. I went up and shook hands with him, and he wanted to know how things looked in regard to the charter.

Q. Did you hear the testimony of Mr. Crowley here this morning?

A. Yes, sir, I heard the most of it. I didn't hear all of it.

Q. When Mr. Crowley testified that you said it would be necessary to expend some money in order to get the charter bill through, was he testifying the truth or a falsehood?

A. I couldn't say. I wouldn't say that he said that, I don't think he did.

Q. If he said that was it false?

A. I have stated that I don't think I did.

Q. If Mr. Crowley said during his testimony this morning that Mr. Dakin said that it would be necessary, and that the mayor had gone to Saginaw to get some money in order to get the charter through, was he stating the truth or a falsehood?

A. I can say that he might have said so, but I don't remember it. I would not say it was false.

Q. Dakin might have said so?

A. He might, or I might have said something. I don't remember any such conversation. I would not say there was no conversation took place, but there might have been.

Q. How soon did Eaton go away from you?

A. I think perhaps it was twenty minutes after that.

Q. Did you stand twenty minutes talking on the street corner?

A. No, sir, we did not. We went down to the restaurant and got something to drink, and was in there a few minutes.

Q. What further conversation did you have about money in the restaurant at that time or on your way going or returning?

A. I don't think we had any.

Q. Will you give us now the conversation that took place in the restaurant, the whole of the conversation that took place after you got in the stall in the restaurant?

A. I think Mr. Eaton asked the question if anybody had a roll call about the first. I think he says, "Now we will see if you can fix this thing up in some way, and talk this matter over," and I think he asked if there was nobody had a roll call, and he says, "Well, come to think, I have got one myself," put his hand in his pocket and took it out and shoved it over to Mr. Dakin. He says, "Now, to get at your idea who you would want to see in this matter, check off their names."

Q. Down there in the stall, when Mr. Crowley testifies that Mr. Dakin repeated again that in order to get the charter bill through it would be necessary to use some money, and that the Mayor had gone after money, did he state the truth or a falsehood?

A. He did not state it in my presence. If he did, I didn't hear it.

Q. Is it possible that that statement was made in your presence?

Q. Why, yes, it was possible that it might have been said and I not taken any notice of it.

Q. Would't you have taken any notice of such a statement?

A. I don't think it was, I could say that it was not,

Q. Then if Mr. Crowley testified that it was a falsehood, was it?

A. Yes, sir.

Q. Where did you go after you left this saloon?

A. Down to the Eichle house to dinner.

Q. Where did you go after dinner?

After dinner, I think probably it was half past one, we started away from the Eichle house and walked up towards the capitol here and went down the street.

Q. Did you come to the building here?

A. No, sir; we didn't come to the building.

Q. Where did you go next?

A. I think we went from there down to North Lansing.

Q. With any of the other members?

A. No, sir, we walked down there just for a walk; I told him I would like to go down and see the town.

Q. You and Mr. Dakin?

A. Yes, sir.

Q. Did you have any conversation about the charter at that time?

A. I don't recollect; if I did I don't remember.

Q. Did you talk any going down there?

A. No, sir.

Q. What time did you return from North Lansing?

A. I think we got back here about four o'clock or half past three.

Q. What did you do then?

A. I can't tell where we did go. I know we came up here to the capitol, but I don't think we came in.

Q. Did you meet any members of the House of Representatives at that time?

A. No, sir.

Q. Was the house in session during that day?

A. I think it was.

Q. And you strayed away with Mr. Dakin?

A. Yes, sir.

Q. Had you and Mr. Dakin any business in North Lansing?

A. I had none.

Q. Did Mr. Dakin seem to have?

A. No, sir.

Q. What time did you come back in the house that day?

A. I think it was about four o'clock when we got back up here.

Q. Did you come here in the House?

A. I don't think we came in. We came up to the steps, and I believe we met Mr. Tillotson and P. C. Andre and some people from Saginaw and I think we stopped and talked awhile and went down town again.

Q. Where did you first meet Mr. Tillotson that day?

A. I first met him before we went down there on the corner.

Q. Was Mr. Dakin present at that time?

A. Yes, sir.

Q. Were you present when Dakin told Tillotson that he had marked this roll?

A. Yes, sir.

Q. Were you present when Dakin told Tillotson that in order to get the charter through it would be necessary to spend some money on the members?

A. No, sir, I was not present when Dakin told him that.

Q. When Tillotson said that in your presence and in the presence of Dakin, Dakin told him this was false?

A. I think that I told Tillotson that Dakin thought it was necessary to have some money here to spend with the members in taking them out and for a social time. I think I was the one that made that remark.

Q. Then Dakin said nothing about money to Tillotson at that time?

A. I don't remember that he did.

Q. Are you sure?

A. I would not be positive, but then I am sure that I said that to him.

Q. Do you know what Dakin said?

A. No, I don't know. I don't think he said anything to me in regard to money.

Q. Tillotson swears that when Dakin told him about marking the list, and receiving money, he said, "Great God, Dakin what have you done?" Was that false also?

A. I would say that Dakin did tell Tillotson that he had marked the roll. That is what I mean to say.

Q. Did Dakin tell Tillotson what he was going to use this money for?

A. I don't remember that he did.

Q. Did Dakin tell Tillotson how much money he was going to use?

A. I don't think he did.

Q. Did Dakin tell Tillotson how much money was set opposite the names?

A. He might have said so, but I don't remember it now. If he did say so, I could not remember whether he did say so or not.

Q. Where did you go after you came to the capitol?

A. I would not say, but I think we were around town and down at the Eichle House playing pedro, something of the kind.

Q. Who was playing pedro?

A. I think I played some. I think Mr. Dakin played with me some.

Q. Up to about what time were you there?

A. Well, we were there to supper.

Q. You remained there until supper time?

A. I think we did, but I won't say but I took a walk. I don't remember.

Q. Have you now given me all that happened that afternoon?

A. All that I can remember, yes, sir.

Q. Is it not a fact that you and Dakin together went to the telegraph office that afternoon?

A. Well, we did, yes, sir.

Q. To how many telegraph offices did you go.

A. We went to two.

Q. What did you go there for?

A. We went there because Dakin said "May be Shackelton has telegraphed some money," and we went there to see. Dakin went in and I think I went with him into the first telegraph office, down towards the bridge, towards the corner. He went in and I think I stepped in behind him, in fact I am sure I did, for I heard him ask if there was any telegram there for Fellows or Dakin.

Q. How many times did you and Dakin go to the first telegraph office?

A. Only once I think.

Q. Will you be positive as to that?

A. I can't remember going there only once.

Q. How many times did you go to the second telegraph office?

A. I think we only went to both of them once.

Q. Did you go into the first telegraph office?

A. Yes, sir, I went in. I think I went inside of the door.

Q. Who asked for the telegram then?

A. Dakin.

Q. Who asked for a telegram in the second office?

A. Dakin.

Q. You went into both telegraph offices, then?

A. I don't think I went inside of the second one; I don't know but I did. I would not say whether I did or not.

Q. Didn't you state a moment ago that you heard Dakin ask in the second telegraph office whether there was a telegram for Fellows and Dakin?

A. I don't think I did. I said in the first office he said that.

Q. So you don't know what Dakin did say in the second telegraph office.

A. I presume he asked the same question. I don't know to be positive about it.

Q. Who expected the telegram, you or Dakin?

A. I don't know I am sure. He asked for both of us. I supposed he thought—

Q. Answer the question, please.

A. I will, as straight as I can.

Q. Did you not state a moment ago that the Mayor had told you that he would send you a telegram?

A. Yes, sir.

Q. How does it happen then that Dakin inquired and you were not even in the telegraph office?

A. I don't know. I suppose Dakin thought he would go and see if there was a telegram there. I don't suppose he thought anything about it. I know I didn't. I know he spoke about going to the telegraph office to see if there was a telegram, and I know he did the inquiring. I don't know why he did.

Q. Did you expect any telegram except the one sending the money; Were you expecting any other telegram?

A. No, sir.

Q. Where did you next go?

A. I think we went down to the house. I can't remember where we did go exactly.

Q. Did you remain during that evening at the Eichle House?

A. I think we did until pretty nearly train time, when we went over to the train.

Q. What did you go over to the train for?

A. To meet a delegation from Saginaw.

Q. Whom did you expect to come from Saginaw?

A. Expected Shackelton and Linton would be in.

Q. Did you meet Shackelton at the train?

A. Yes, sir.

Q. Did you ask Shackelton on your way from the train to the hotel, whether or not he brought any money?

A. I did not.

Q. Did Dakin ask him that question?

A. Not to my knowledge, he did not, not in my presence that I heard.

Q. When did you first ask him whether he had brought any money or not after his return from Saginaw that evening?

A. I did not ask him at all whether he had brought any money from Saginaw.

Q. You did not ask Mr. Shackelton at all, after his return, whether he had brought any money?

A. No, sir.

Q. Did Mr. Dakin ask Mr. Shackelton that?

A. Not to my knowledge.

Q. Did you ever ask Mr. Shackelton after that whether he had brought any money?

A. No, sir.

Q. Or Dakin, to your knowledge?

A. No, sir.

Q. So you mean to say you went to the telegraph office in the afternoon to find out whether there was a telegram here, whether money had been telegraphed over, and did not have interest enough in the dispatch to ask Mr. Shackelton whether he had brought the money or not? Do you mean to say that?

A. That is what I mean to say, that I did not ask him for any.

Q. What did you say relative to the Grand Army boys?

A. At the time we were in the restaurant? Is that what you refer to?

Q. When did you first speak about the Grand Army boys?

A. That is the only time that I remember saying anything about them.

Q. What did you say about them?

A. I said there was nobody here I could talk to and show the situation up to them unless it might be some of the Grand Army boys that I could talk over old times with and get acquainted with and such like.

Q. How did you expect to use this money among the Grand Army boys?

A. What money?

Q. Any money you might get.

Mr. Van Zile—He has not testified as to using any money among the Grand Army boys. The question assumes that he has sworn to something that he has not sworn to.

Mr. Conductor Diekema—He stated that in a social way some money could be used among the Grand Army boys.

Mr. Dodge—We desire to refer to the minutes if the council insists upon that. We insist that no such statement was made on his direct examination. He said he could talk with some of them.

The Speaker—What is the question?

The official stenographer read the question as follows: "How did you expect to use this money among the Grand Army boys?"

A. What money?

Q. Any money you might receive?

A. I did not expect to use it among them except in a social way. I never made any mention about using any money with the Grand Army boys.

Q. You were asked to come here because you were a Grand Army man and could talk to some of the Grand Army boys, were you not?

Mr. Dodge—I object to that for the reason that the witness has answered that question at least half a dozen times.

Mr. Conductor Diekema—I have not asked that at all on cross-examination. I am only referring to the direct examination now.

The Speaker—Let the witness answer the question.

A. I was asked to come here, yes sir, and there was something said at that time about that.

Q. Since you arrived in Lansing, have you seen a single Grand Army boy about this bill?

A. I don't think I have.

Q. You have not spoken to one?

A. Not that I remember of, I have not.

Q. You said you had a conversation with Dakin about a dance at the Eichle House. Who were to be invited to that?

A. There was nothing said about it to me, as to whom we intended to invite at all. I stated all the conversation that I had about it.

Q. Whom did you think were to be invited—those fifteen?

A. I expected that there would be members of the House. I don't know as I expected those fifteen, for I did not know who they were. I expected that we intended to invite some members from the House.

Q. Did you and Mr. Dakin go to the Hudson House to see Eaton after you had this conversation with Tillotson?

A. No, sir, we did not.

RE-DIRECT EXAMINATION, BY MR. DODGE.

Q. There has been some considerable rivalry between Saginaw City and East Saginaw with reference to the charter, I believe, has there not?

A. Yes, sir, and Carrlton also.

Q. Was not the idea of using this money to maintain a lobby here on the part of Saginaw as against East Saginaw, which had rival interests in the charter?

A. The idea of using money—I don't know that there was any idea.

Q. To use it for the purpose of entertaining the lobby members here generally that were working in the interests of Saginaw or for their expenses in the interest of this charter?

A. That is what money was talked of for. That was the way they expected that they would spend it—in a social way with the members.

Q. How long were you here on this occasion that you spent the thirty dollars?

A. Six or seven days altogether.

Q. Did you regard the sum of thirty dollars as a very extravagant waste of money in view of the business you was down here on?

A. I think I spent more than I ought to.

Q. Did you spend any of this money in becoming intoxicated, yourself or any of your friends that were associated with you?

A. No, sir; I did not.

Q. You stated that Mr. Crowley might have been mistaken and that he told a falsehood. You did not mean to say by that that you believe Crowley is a man in the habit of telling falsehoods?

A. No, sir, I do not mean to be understood that way.

Q. You think if he stated as counsel repeated it, that he must have been mistaken?

A. I think he must have been mistaken.

Q. After your examination by counsel and since you have had time to reflect, do you think there was anything said either down here in the stall, in your presence, or down here in the rotunda, but what you heard, as you stated here on your direct examination?

A. No, sir, I don't think there was anything.

Q. Did you ever tell any one that you had used thirty dollars for any other purpose than you have to-day stated?

A. No, sir, I never did.

Q. Did you ever have any intimation from Mr. Dakin, either directly or indirectly, one way or the other, that Representative Rumsey or any other member of the House could be approached with money, or by any corrupt method?

A. No, sir, I never did.

Q. Did you yourself imagine or think you could approach any one of the members of this honorable House with money for any corrupt purpose?

A. No, I never did.

RE-CROSS-EXAMINATION BY MR. CONDUCTOR DIEKEMA.

Q. Are you a laboring man?

A. Yes, sir.

Q. You work for your living, do you?

A. Yes, sir.

Q. What labor are you engaged in?

A. Well, I have worked a good deal for the Saginaw Street Railroad Company. I worked there several years.

Q. How long is it since you worked for the Saginaw Street Railway Company?

A. It has been about five years, I guess.

Q. That was five years ago. What did you work at last year?

A. I have been in the excavating business for the last five years.

Q. During the last year?

A. During the last five years, during summer seasons.

RE-DIRECT EXAMINATION BY MR. DODGE.

Q. In what capacity did you work for the Saginaw Street Railway Company?

A. I was conductor on the cars there for about fourteen years.

Q. Fourteen consecutive years?

A. Yes, sir.

Q. You were in the army how long?

A. I was in about two years and three months.

Q. You are in rather poor health now are you not?

A. Yes, sir.

Q. And you have been for some time past?

A. Yes, sir.

Q. Were you ever intoxicated in Saginaw City, or Lansing, or elsewhere in your life?

A. I never was intoxicated in my life.

RE-CROSS EXAMINATION BY MR. CONDUCTOR DIEKEMA.

Q. How long did you say you worked as a street car conductor?

A. I think it was about fourteen years, or nearly that, that I worked for the Company.

Q. Did you work any for them as a conductor since the present system of bell checking or registering came in vogue?

A. Yes, sir.

Q. How long?

A. I worked for them I think as much as three or four years after that.

Q. Do you make the statement here that you worked three or four years for that company after that system came in vogue?

A. Yes, sir.

By Mr. Dodge:

Q. Who was president of that company for which you worked and under which that system existed?

A. D. H. Jerome.

Q. Ex-governor of Michigan?

A. Yes sir.

The following question proposed by a member of the House was sent to the Speaker's desk, and read by the Speaker:

Q. What did you say or do to any member or employé of the House at any time that you thought would assist in the passage of the amendments to the charter of Saginaw in the House?

A. Nobody but Mr. Linton that I now recall.

Mr. Dodge—Did you ever represent to any one that you were an experienced lobbyist?

A. No, sir.

Q. When you came down here did you do what you thought best to do under the circumstances, in the interest of the charter?

A. I did.

Q. At what time did you leave when you say you had the conversation with Mr. Linton?

A. I left Monday evening.

Q. Any other time?

A. I don't think I have,

Q. When you answered a moment ago that you thought you had done what you possibly could in the interest of this charter, did you mean to say that by doing absolutely nothing you did what were for its best interests?

A. I considered there was not much to do after the arrangements had been made with Mr. Linton until they got back.

Q. Then what was the nature of this business if you thought, as you answered a moment ago, that you thought the thing was compromised and would be settled?

A. I can tell you that Mr. Tillotson, after he found out what Mr. Dakin had done, he told me, "Now, Giles, just let this thing drop, because it may make some trouble."

Q. What thing drop?

A. This in regard to having a social time with the boys.

Q. At what time was that?

A. That was the time I was speaking to you of, that I saw Mr. Tillotson down here on the street, after Mr. Dakin had told Mr. Tillotson what he had done. It was not but a short time after that before Mr. Tillotson went up to the Hudson house to see Mr. Eaton to see if he could not get it.

Mr. Dodge—Has there been any cause for a jollification or a social time or anything in the way of an entertainment since the differences have been settled between Saginaw City and East Saginaw regarding this charter?

A. No, sir.

Mr. Conductor Deikema—Was there ever before this?

A. No, Mr. Dakin and I never spoke to anyone else.

RE-DIRECT EXAMINATION BY MR. DODGE.

Q. What do you mean by Dakin and yourself?

A. I mean we are the only ones that ever talked it over at the Eichle House.

Q. Did you understand the question of counsel? He asked you if there was any occasion before for having such an entertainment as I have mentioned, or any sociability, if it was deemed necessary?

A. Well, I deemed it necessary to do all that we could do in the interest of that, if Mr. Linton was going to oppose the bill.

Q. Was that deemed necessary by anyone else other than yourself—by Mayor Shackleton?

A. Yes, it was.

Q. Who else? Mr. Eaton?

A. I don't know I am sure what they thought about it. All I could state was for myself.

Q. Any one else besides Mr. Shackleton?

A. Nobody said anything to me about using any money for that purpose that I know of.

Q. But for the purpose of coming down here in the interest of the charter?

A. That was all.

Q. These several committees were appointed for that purpose, and since they made the compromise there has been no occasion for their being here, has there?

A. I do not see any, no, sir.

RE-CROSS EXAMINATION BY MR. DEIKEMA.

Q. When you stated a moment ago in answer to a question proposed to you by your counsel, whether the mayor knew anything about this and you said yes, what did you mean; that the mayor knew about the money being used in this way?

A. I never had—if I said so, I misunderstood it. The mayor has never said anything to me.

Q. So you mean to say now that the mayor knew nothing about this money being used in a social way?

A. Not that I know of.

Q. Were you present here when Mr. Crowley testified that Mr. Dakin said to-day is the day they ought to have the money because Mr. Linton is absent from Lansing?

A. I say that Mr. Dakin did say that if there was any money to be used in a social way among the boys, it ought to be done while Mr. Linton was gone if they deemed it necessary.

When did you expect Mr. Linton back?

A. Tuesday night.

A. That same evening.

Q. So Mr. Dakin said it would be necessary to use that money in a social way during that day?

A. He said it should be used, then if it was used at all.

Q. How could it be used then?

A. That I don't know, there was nothing said to me.

Q. Mr. Dodge.—At the time Mr. Dakin received this two dollars from the mayor did he repeatedly refuse it and decline to take it?

A. I think he did at three different times.

TESTIMONY OF REPRESENTATIVE E. N. BATES.

Representative E. N. Bates, having duly affirmed, testified as follows:

Examined by Judge Van Zile.

Q. You are a member of the House of Representatives?

A. Yes, sir.

Q. You are a member of the committee on municipal corporations?

A. Yes, sir.

Q. Was that the committee before which the Saginaw charter bills were pending?

A. They have been before our committee.

Q. I want to ask you if in the committee room there have been any cards hanging up with certain printed matter upon them with reference to cigars?

A. There is a sheet of paper in the room I think having a printed device upon it.

Q. What is it?

A. It is something to the effect that "we smoke, if you don't up goes your bill."

Q. How long has that been in the committee room?

A. I cannot tell. I think perhaps about six weeks or two months.

Q. Was it in the committee room during the time that the Saginaw charter bill was pending before the committee?

A. I think the Saginawians never were in the room where the municipal corporations committee usually meet. There might have been small delegations of them in there, but they never met us there. We usually adjourned to some larger room.

Q. Are those cards and signs up in other committee rooms?

A. I could not tell you.

Q. Do you know or not of occasions where gentlemen have been referred to that sign, or whatever you may call it, when they were presenting bills before the committee?

A. Yes, sir.

Q. Do you remember that that has been done on more than one occasion?

A. I think it has.

Q. Do you remember whether or not immediately upon such reference money has been produced for purchasing cigars?

A. That depends largely upon the size of the man.

Q. About what sized man do you generally require that of?

A. Small men do not usually contribute.

Q. Large men do, you mean to say.

A. Yes, sir.

Q. I understand your answer then is that there have been such occurrences there?

A. Yes, sir.

Q. On more than one occasion?

A. I think I recollect two occasions.

Q. That has been in other sessions that you know of?

A. I never knew of its happening before.

Q. Is it anything uncommon for assessments to be made upon members of the Third House here in the interest of legislation.

Mr. Conductor Herrington—By whom?

Judge Van Zile—By the committee I suppose.

Mr. Conductor Herrington—If it is by the committee I have no objection to it.

A. I never saw one made.

Q. Do you remember whether or not some such card as that was up in the committee room where Mr. Dakin was a member of the committee?

A. I never have seen a card of that nature in any other room except in ours.

Q. You say some gentlemen have furnished money when that was referred to?

A. Yes, sir.

Q. What was the money to be used for?

A. It was generally supposed it was to be used to purchase cigars.

The following question was sent up by a member, and read to the witness by the Speaker:

Q. Did certain gentlemen from Detroit pay the committee on municipal corporations a dollar a piece for the privilege of making speeches on one of the Detroit bills?

A. No, sir.

Mr. Conductor Herrington—Did this ever happen with any one in connection with the Saginaw charter bill?

A. No, sir; not that I remember of.

Q. Was any person from Saginaw ever asked to contribute anything for the purchase of cigars for the committee on municipal corporations?

A. Not that I have any recollection of.

Mr. Dodge—Has any one ever claimed that they did.

A. I don't know whether you claimed it or not. I would like to make a statement right here. This system of assessments originated with the members of the committee in this way: When we organized we agreed that if any member was late in his attendance upon the meetings of the committee he should pay a fine. I think I was the first one that paid the fine. I think every member of the committee has paid a fine. The committee consists of seven. There are only four who smoke, but that money has usually been spent for cigars for the four who smoke, and from assessing the fine upon the members of the committee it extended in its playful way to the members of the House. I have a distinct recollection of our friend from Leuawee contributing a dollar. I think our friend from Bay and also our friend from Ingham contributed a dollar for cigars as a sort of a fine, and I think one or two delegations from outside. Further than that I have no recollection of anything being paid to the committee.

The Speaker—The following question is asked: Do you know who placed this card in the room?

A. I do not; I could not say; I do not know whether it was the Speaker of the House or the gentleman from Ingham who is counsel for the defendant.

Q. Was not this card more in the nature of a joke than anything else?

A. I presume it was; that is the way it was looked upon by the members of the committee.

By Mr. Dodge.

Q. Any proceeding of that kind is not regarded as harmful or done with any bad intention?

A. We had no harmful intention when operating it among ourselves.

Q. A party representing some interest or looking for some legislation would fare as well before the committee if they did not contribute cigars or money as though they did contribute?

A. They usually get their share of the cigars, the delegations that contribute.

Q. You do not understand the question. I mean to say that the contributing of cigars or money never influenced that committee or any members of it.

A. No. We have reported adversely on more delegations that contributed than we have upon those that did not contribute.

TESTIMONY OF REPRESENTATIVE LINTON.

Representative Linton, sworn.

Examined by Mr. Holden:

Q. Are you the member in this House representing the city of East Saginaw?

A. I am, sir.

Q. You are somewhat familiar with the bill to revise and amend the charter of the city of Saginaw are you?

A. I am.

Q. I presume you were watching that measure somewhat?

A. Somewhat.

Q. And there was also pending before this House at the same time a bill to amend the charter of the city of East Saginaw was there not?

A. There was.

Q. And you had that bill in charge?

A. I had.

Q. You were looking to the interests of that also?

A. I was.

Q. Did you have a conference with Mayor Shackelton of the city of Saginaw relative to the Saginaw city bill?

A. I did.

Q. You have heard read in this House to-day a memorandum which was exhibited to the witness, Mr. Crowley, relative to a proposition from Shackelton concerning the Saginaw City charter?

A. Yes, sir.

Q. Have you the original proposition?

A. I think I have.

Q. Will you produce it?

A. I will.

Q. What is this?

A. That is a proposition made to me, sir, as to what Saginaw City would bind itself to do in the shape of improvements upon the strip of territory that was in dispute as between Carrollton and Saginaw City.

Q. The strip of land known at home as the middle ground, or Florence?;

A. Yes, sir.

Q. It was relative to taking that into the city of Saginaw under the revised and amended charter was proposed?

A. Yes, sir.

Mr. Holden—I offer this in evidence. The paper was received in evidence and made exhibit D, and reads as follows:

“State of Michigan, Representative Hall, Lansing, April 18, 1887.

Mr. Linton, Dear Sir—We agree to refund to the township of Carrollton the amount of moneys paid by them to build the piece of road across Florence, on Genesee street, also to extend a water main to the lower end of Florence; to give to said Florence three electric arm lights and proper police protection, or to expend all the moneys paid into the city treasury, except State and county taxes from said territory. for the next eight years, on said piece of territory.

J. H. SHACKELTON, *Mayor*.

Q. In whose handwriting is this?

A. Mr. Shackelton's.

Q. Did you see the memorandum which was read when Mr. Crowley was upon the stand this morning?

A. Yes, sir, I saw it when it was presented this morning.

Q. I see in this that there were some lead pencil interlineations. Will you examine the exhibit which was produced when Mr. Crowley was upon the stand and say in whose handwriting the ink portion of it?

A. According to the best of my judgment it is in Mayor Shackelton's handwriting.

Q. In whose handwriting are the lead pencil corrections?

A. In mine.

Q. When did you make them?

A. On Monday evening the 18th of this month.

Q. At whose request did you make the interlineations?

A. I made them upon my own motion at that time. I thought it was proper.

Q. Who was present at that time?

A. There was present at that time Mr. Fellows, Mr. Dakin and Mr. Shackelton. I remember no others.

Q. You remember that Mr. Fellows was here in the interest of the Saginaw city charter and in the interest of the middle ground, as you understood at the time?

A. I supposed that to be the case.

Q. After making the interlineations or corrections so that it would be a copy of the original proposition of the mayor of Saginaw to you, to whom did you give it?

A. I think I returned it to Mayor Shackelton.

Q. Is it a fact that on the 18th or 19th you and Mayor Shackelton returned from Lansing to your respective cities?

A. On the 19th we did so.

Q. In the morning?

A. In the morning.

Q. At what time did the train depart?

A. 8:20 I think is the hour?

A. For what purpose did you go?

A. I went for the purpose of laying the proposition that Mayor Shackelton had made before the parties interested in this strip of territory known as Florence. I can continue the statement if you wish.

Q. If you desire you may make any statement in connection with the matter that you may see fit, so far as we are concerned. I hope there will be no objection from the other side. I presume there will be none.

A. I desire to explain my position in this way: I came from East Saginaw on Monday, the 18th, and on the train, for the first time, met Mr. Shackelton. After the session of the House of Representatives on Monday evening, we talked this matter over of the annexation of Florence. I stated to Mayor Shackelton—before I say that I will state that the Mayor, Representative Dakin, and other Saginaw City gentlemen thought that I had no right to interfere in this matter. I said to them that I had for the reason that I considered it an injustice to the township, and from the fact that a number of citizens of the city which I represent were property holders in that township. I also stated to the mayor that I believed the sole object of Saginaw City in acquiring this strip of territory was for the purpose of deriving revenue therefrom without giving any corresponding benefit, and in talking this matter over Mayor Shackelton said in effect, that Saginaw City would agree to place upon that strip of ground certain improvements. I asked him to put his proposition in writing.

He hesitated somewhat saying that perhaps he was exceeding his authority in doing so, but after thinking it over awhile he said he would put the proposition in writing, but that he would not sign it until after he had talked it over with some of his people in Saginaw City, to see whether they would sustain the course that he had taken. I said very well then we would go to Saginaw in the morning. He then made this proposition in writing, afterwards made what I see to be a copy of it and addressed it to myself, and with that understanding that we should go to Saginaw in the morning we separated and met at the train, went to Saginaw, and after reaching his city he talked the

matter over with controller Binder and some other citizens of that city and then signed his name, the signature being made in Saginaw City. We came back upon the train that night without having accomplished anything relative to the matter in dispute. That is all that I know about this matter.

Q. Until this matter which is now being investigated arose was not Mr. Dakin's character for honesty and sobriety good so far as you know?

A. So far as I know, yes, sir.

Q. Never heard aught to the contrary did you?

A. No, sir.

Q. He never has made any proposition to you nor to any member in your presence for the purpose of corrupting or unduly influencing you in any way?

A. No, sir; he has not.

TESTIMONY OF ANTHONY BYRNE.

Anthony Byrne, a witness called on behalf of the respondent, being duly sworn testified as follows:

Examined by Mr. Dodge.

Q. Where do you reside?

A. Saginaw City.

Q. How long have you lived there?

A. About 23 years.

Q. What is your business?

A. I am in the grocery business at present.

Q. Are you acquainted with Mayor Shackelton?

A. I am.

Q. Did he take you up to Mr. Dakin's house with reference to this subject of legislation in the interest of the Saginaw City charter?

A. He took me up there to see Mr. Dakin.

Q. Will you please state what there is about it, about your going up there?

A. We saw Mr. Dakin. They first commenced talking about a railroad belt running through the city, and they had no outlet for water except they had a piece of Carrolton that runs between the river and Saginaw City. Mr. Shackelton asked Mr. Dakin what he thought about it and if he needed any help in Lansing to help get that charter bill through to get the piece of ground. Mr. Dakin said he thought he could use some help, and he was asked whom he thought would be best to take down to Lansing to help him get this charter bill through. Mr. Dakin replied if he had "ex-Governor Jerome, Giles E. Fellows and yourself, Mr. Shackelton, I think it will be all right and think we can get it through."

Q. Did Mr. Shackelton repeatedly insist to Mr. Dakin upon this occasion that they must have the territory of Florence annexed.

Objected to as leading.

Q. Go on and state it all?

A. Then Mr. Shackelton spoke and said, "I suppose it will take some money to get this through." Mr. Dakin said he thought it would. Mr. Shackelton said, "I have not got any money of my own, but if the old controller Dickson were there I could get some; but as it is with Binder there I don't know how it will be."

Q. Was anything said at that time as to what this money should be used for?

A. No, sir; only for expenses.

Q. Was anything said by Mayor Shackelton to Mr. Dakin about this territory of Florence being annexed?

A. Yes sir; he said if that piece could be annexed it would give them a good drainage for the water to go out from Saginaw to the river.

Q. What reply did Mr. Dakin make to Mr. Shackelton when he was talking about annexing the territory of Florence?

A. I cannot recollect the reply.

Q. Proceed and state all that you can state that took place that you can recollect?

Mr. Conductor Herrington—I rise to make an objection, that the whole of this testimony is incompetent, for the reason that he is detailing a conversation between Mr. Dakin, Mr. Shackelton, and the witness, and Mr. Shackelton has not been put upon the stand previously, and the witness they are examining for the first time, and on their own behalf it is not contradicting anything that has been previously said, and is in no way material to this issue.

Mr. Dodge—I do not imagine that my friend's objection needs any reply from me. It would seem to me that there can be no question but what this is eminently proper testimony to produce here.

The Speaker—The witness may answer the question.

Q. What reply did Mr. Dakin make to Mr. Shackelton when he was talking about annexing the territory of Florence.

A. I don't know that I can recall any reply.

Q. Is that all the conversation you heard that day.

A. No, sir.

Q. Please relate it.

A. They talked that if they had that territory they could run a railroad belt through that way, through the back part of the city, and what a good thing it would be for the city if they could get it.

Q. Is there anything more in that connection that you heard between these parties?

A. I don't remember of any more.

Q. And this conversation that you have related took place on Sunday preceeding the 19th of April?

A. On the 16th of April or the 17th, don't remember which.

Q. I understood you to say that Mr. Shackelton came to you and took you up to Mr. Dakin's house?

A. Yes, sir.

Q. Did he take you to meet any other member who was finally appointed on that committee?

A. We drove from Mr. Dakin's house to Mr. Fellows'. Mr. Fellows was not at home. We met him afterwards on the street.

Q. And there did you have a talk with him regarding his going down to Lansing.

A. Yes, sir.

Q. State what that conversation was between Mr. Shackelton and Mr. Fellows?

A. We met Mr. Fellows and Shackelton said, "Well, Mr. Fellows, I guess you will have to go to Lansing to-morrow." Mr. Fellows said, "What for?" Mr. Shackelton replied, "We want you down there in the interest of this

charter bill." Mr. Fellows said, "I have no money. I have spent thirty or forty dollars of my own money before, and I do not propose to spend any more of it."

Q. What reply, if any, did Mr. Shackelton make to that statement?

A. Mr. Shackelton said, "I have no money either, but if Dickson or the old controller were there I think I could get some; but as Mr. Binder is there now I do not know whether I can or not."

Q. What else was stated between those parties at that time?

A. He presumed he could make arrangements so that he could have some money.

Q. What else, if anything?

A. He said he had been talking this matter over with Mr. Dakin and Mr. Dakin told him he thought that ex-Governor Jerome and he would be good men to take down to Lansing and he proposed to have them go down. He said "Mr. Jerome is well acquainted at Lansing, knows most of the representatives and he is a Republican and he can state about this charter bill to them, and that Mr. Fellows was a member of the G. A. R. Post and he could probably talk with them and state to them the condition of the bill and see if they could not have it passed; and Mr. Shackleton was mayor of the city and he could probably influence the Democrats.

Q. That was substantially all that was said between Mr. Fellows and Mr. Shackleton?

A. About all I remember.

Q. Did Mr. Fellows, before you separated, consent to go down to Lansing?

A. I think he said he would go down in the evening.

Q. You say you have known Mr. Dakin how many years?

A. I should judge 6 or 8 years.

Q. What is his general reputation in the neighborhood where he resides for truth and veracity?

A. It is good.

Q. Did you ever hear it breathed or intimated that Mr. Dakin was anything but a straightforward, scrupulously upright citizen?

A. I have not.

Q. Is this the first intimation or insinuation that you have ever heard against Mr. Dakin's character and reputation?

A. It is.

Q. Was it distinctly understood at the time you were at Dakin's house that if any money was used or raised or sent down that it must be simply for social purposes and nothing else?

A. I understood the money was to be used for expenses.

CROSS-EXAMINATION BY MR. CONDUCTOR HERRINGTON.

Q. You say that Mr. Shackleton spoke and said it would be necessary to take some money down to get this charter through?

A. To take some money down for expenses,

Q. Is that what you said when you first made the statement?

Mr. Dodge—The record will show.

The Speaker—Answer the question.

A. It is.

Q. Did you not use this language, "Mr. Shackleton spoke and said it would be necessary to take some money down to get this charter through, but I have no money of my own." Are not those your exact words?

A. They are.

Q. Did you make a true statement when you stated those words?

A. I think I did.

Q. Why do you now say that he said "Take money for expenses?"

A. That is what I supposed it was.

Q. Then the expenses are what you supposed, and not what he said?

A. Yes, sir.

TESTIMONY OF REPRESENTATIVE GREEN.

Representative James A. Green, being duly sworn, testified as follows:

Examined by Mr. Dodge:

Q. You are a member of the House of Representatives?

A. I am.

Q. Where do you reside?

A. Bay City.

Q. How long have you lived in Bay City?

A. Six years.

Q. Where did you formerly reside before you took up your residence at Bay City?

A. I think I lived eight years in this strip of territory that there has been so much talk about, in Florence.

Q. And you have lived in the Saginaw Valley about how many years?

A. I have lived in the Saginaw Valley 18 or 19 years, I think.

Q. Are you acquainted with Frederic L. Eaton?

A. I am.

Q. How long have you known him?

A. I think 15 or 18 years.

Q. When were you first introduced to him?

A. I never had an introduction to him in my life.

Q. Did you hear Mr. Eaton testify that he was introduced to you by Senator Wisner or somebody else down at the Eichle Hotel, and that he met you there and there formed your acquaintance?

A. I don't remember the language he used.

Q. Were you introduced to him in the Eichle House this last winter?

A. I will make this statement and you can call it what you please: I stepped up to him and shook hands and said, "This is Mr. Eaton," and he said, "This is Mr. Green," and that is all there was of it. That is my recollection of it.

Q. You never was introduced by any outsider?

A. Not that I recollect of.

Q. You would remember it?

A. I should think so.

Q. You have been on speaking terms and acquainted with him for upwards of 15 years?

A. I should think it was about that length of time. I think it is as long ago as that since I first got acquainted with him.

CROSS-EXAMINATION BY MR. CONDUCTOR DIEKEMA.

Q. If you had been acquainted with him for fifteen or sixteen years, why did you say, "This is Mr. Eaton?"

A. I think it has been some eight, possibly ten years since I had seen him before.

- Q. Then you recognized him, and not he you?
A. Well, it seemed to be mutual, both about the same time.
Q. Didn't you tell him that your name was Green?
A. I think he said, "This is Green," and I said, "This is Mr. Eaton."
Mr. Dodge—You approached each other and he said, "This is Mr. Green," and you said, "This is Mr. Eaton?"
A. Yes, sir; I had met just at that time some other Saginaw City men.

TESTIMONY OF JAMES H. SHACKLETON.

John H. Shackleton, being duly sworn, testified as follows:
Examined by Mr. Holden.

- Q. Are you the present mayor of Saginaw City?
A. I am.
Q. Did you hold a city office during the two years last preceding?
A. I held a city office one year.
Q. What was it?
A. Alderman from the Fifth Ward.
Q. Then when you were elected mayor this spring, your office as alderman had not yet expired?
A. No, sir; I resigned that.
Q. I suppose you are acquainted with Frederic L. Eaton?
A. Yes, sir.
Q. And Mr. Dakin?
A. Yes, sir.
Q. And the other witnesses that have been sworn residing in Saginaw City?
A. Yes; all of them I believe.
Q. How long have you lived there?
A. Going on seven years.
Q. In what business are you engaged?
A. In the flouring mill business.
Q. How long have you been engaged in that business?
A. About fifteen or sixteen years.
Q. Where before going to Saginaw?
A. At Farmington, Oakland county.
Q. How many times did you come down here while you were serving as alderman, in regard to the Saginaw City charter bill?
A. Twice, I should think.
Q. And you have also come down here since then?
A. I have been down once since.
Q. On what day did you come down since you were mayor?
A. A week ago last Monday evening.
Q. Was that on the 18th?
A. I believe it was.
Q. Did you return the same night?
A. No, sir; the next morning.
Mr. Bates moved the suspension of rule I, regarding the House adjourning at six o'clock, in order that the examination of the witness might be proceeded with.
Which after discussion was withdrawn.
On motion of Mr. Simpson,
The House adjourned.

Lansing, Thursday, April 28, 1887.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Callen.

Roll called: quorum present.

The House resumed the investigation of the charges against Representative Dakin.

The Speaker—Counsel on behalf of the accused will proceed with the examination of their witnesses.

John H. Shackleton recalled.

Examined by Mr. Holden.

Q. Did Mr. Dakin at any time solicit or endeavor to procure any money from you?

A. No, sir.

CROSS-EXAMINATION BY MR. HERRINGTON.

Q. How long have you lived in Saginaw?

A. Between six and seven years—six years anyway.

Q. You were an alderman of Saginaw last year?

A. Yes, sir.

Q. And you are the present mayor of Saginaw?

A. Yes, sir.

Q. Elected at the last election?

A. Yes, sir.

Q. When did you first come to Lansing in regard to this Saginaw charter?

A. I think it was about the 16th or 17th of March.

Q. Where did you stop?

A. At the Eichele House.

Q. When did you next come?

A. It was about four or five days after that—the 24th or 25th.

Q. Where did you stop at that time?

A. At the Eichele House.

Q. When did you come again?

A. A week ago last Monday evening.

Q. And where did you stop upon that occasion?

A. In the same place.

Q. Mr. Dakin was stopping at the Eichele House during all those visits of yours here?

A. Yes, sir.

Q. You say you came Monday evening?

A. Yes, sir.

Q. Who came with you?

A. I don't think there was anyone from Saginaw.

Q. Did you see Mr. Dakin that night?

A. I met Mr. Dakin in his seat here I think.

Q. Did you have any talk with Mr. Dakin on Monday evening with reference to the Saginaw charter?

A. Yes, I talked with him a few minutes.

Q. What was the conversation which passed between you and Mr. Dakin on Monday evening with reference to the Saginaw charter?

A. I don't know but we talked very much. I asked him how everything looked. I don't just recollect what answer he made me. We talked perhaps five minutes, and Mr. Linton came to me in the hall.

Q. Were you talking about the Saginaw charter during that five minutes?

A. I could not say now what we were talking about, I know the charter was mentioned.

Q. When you first asked him how it was getting along what was his reply?

A. I think he told me we would have a hearing the next day.

Q. Is that all that you remember that was said with reference to the charter?

A. I think that is all I have a recollection of now.

Q. Did you not say you were going to compromise with Mr. Linton so that this trouble would be ended and the bill would go through without any opposition?

A. No, sir, not until I had talked with Mr. Linton; Mr. Linton was the first man that approached me upon the subject.

Q. Did you not on Monday evening state that to Mr. Dakin?

A. After the House adjourned I walked out into the hall and started to go to the hotel, and Mr. Linton came to me and says the —

Q. I don't care for that; I ask you if on Monday evening you did not state to Mr. Dakin that it was best to compromise the matter and settle it up and have no more trouble about it?

A. I know nothing about compromising it.

Q. On Monday evening?

A. Not until after I had talked here, after I had talked with Mr. Linton, he was the first man to talk compromise.

Q. After you had talked with Mr. Linton did you have any talk with Mr. Dakin on Monday evening?

A. Yes, sir.

Q. Did you say to Mr. Dakin, after talking with Mr. Linton, that you thought it would be best to settle the matter by a compromise?

A. I think I did.

Q. And have no further opposition to the bill?

A. I think I did.

Q. What did Dakin reply to that?

A. He thought it would be a good plan.

Q. Did you have any further talk with Dakin on Monday evening with reference to the charter?

A. Not that I recollect of in particular. There was something said about it once or twice in the presence of Mr. Linton.

Q. You and Mr. Linton came to an agreement on Monday evening, as I understand it?

A. Yes, sir.

Q. Did you see Mr. Dakin on Tuesday morning?

A. Yes, sir.

Q. At what time?

A. About 7 o'clock.

Q. Where?

A. At the hotel, and from there up to the railroad station.

Q. You went back to Saginaw on Tuesday morning?

A. Yes, sir.

Q. Mr. Linton went with you?

A. Yes, sir.

Q. Who walked with you to that train?

A. Mr. Dakin and Mr. Fellows.

Q. Now will you state to the House all that was said between Mr. Dakin, Mr. Fellows and yourself while walking to the train on Tuesday morning?

A. I don't know, we talked about a good many different things.

Q. I mean in relation to the charter?

A. I don't think there was anything said about the charter until we got pretty near to the depot. Mr. Fellows spoke about being out of money, or something to that effect. I asked him if he did not get some money at Saginaw. He said no. He said "I have got sixty or seventy cents to pay my hotel bill and my car fare home." I said "You are in bad shape," and I put my hand in my pocket, took a bill out, \$5, and gave it to him. I had \$2 in my hand and I said "Here, Mr. Dakin, the Saginaw men have had a good deal of fun out of this charter business and you have not had even a glass of beer. You take this and buy yourself some cigars." I think those were the words I used. Mr. Dakin said "I don't smoke now," and offered to hand it back. I said take it and buy some beer with it then." He put it in his pocket and walked on to the depot.

Q. Why did you say "You have not even had a glass of beer—take it and buy cigars with it."

A. I don't know. It came into my mind at that time and I don't recollect that there was anything more said about it.

Q. If he had not had any beer, why did you say buy cigars?

A. I said buy cigars first. He said he did not smoke any.

Q. You wish to correct your statement that you made a moment ago?

A. I said it just as it took place there.

Q. Will you please give us word for word that conversation as near as you can?

A. I have already given it to you.

Q. You do mean to say that you gave it as it occurred word for word?

A. I think so.

Q. Who first brought up the subject of money?

A. I could not say as to that. I think it was Mr. Fellows who spoke about being out of money.

Q. Did you first mention the subject of money?

A. I think not.

Q. You are sure of that?

A. Pretty sure of it.

Q. You don't know whether it was Dakin or Fellows that first mentioned it?

A. Dakin has never mentioned money to me that I know of.

Q. Then it was Fellows?

A. It might have been me or it might have been Fellows. I could not swear positively which one it was.

Q. Did you not say a moment ago that you were sure it was not you?

A. To the best of my recollection I think Fellows spoke about being out of money.

Q. Did you not say that you were sure you did not first mention the subject of money?

A. I am sure of that now.

Q. You are sure that you did not?

A. Yes, sir.

Q. You are sure that Mr. Fellows was the man who first mentioned the subject of money?

A. I am pretty sure.

Q. Did you hear Mr. Fellows' testimony yesterday?

A. I heard a part of it.

Q. Mr. Fellows testified as follows: "On Tuesday morning when we were going to the train Mr. Shackleton asked me if I got any money when I left Saginaw. I told him no, and I put my hand in my pocket, pulled perhaps fifty or sixty cents out and said, that is the extent of my pile." Is that testimony true or false?

Mr. Holden—I object for this reason. We have had occasion to refer to rule 6 governing the proceedings here, which says that the evidence shall be offered and received as in a court of justice, and no lawyer upon this floor will contend for one moment that a question of this kind is proper to be answered. It is for this House, after they have heard all the evidence in the case, to say which of the statements by the various witnesses are true and which are false. It is highly improper and would not be tolerated even in a justice court for one moment. It is competent for them to call the witness' attention to a given point and ask him what he said upon the subject; and I call the attention of the Speaker and of the members of this honorable body to the fact that this is not cross-examination, and I insist that the objection made should be sustained. It is highly improper and incompetent in the form in which it is put to the witness.

Mr. Conductor Herrington—The gentleman says there is no lawyer upon this floor who does not know that his position is correct. He stated that once yesterday, and then in a few minutes afterwards stated that when the Speaker ruled against him he was right, so that I hardly know whether he is sincere in what he says or not. He further says that this is not cross-examination. He asked of this witness whether Mr. Dakin ever had any talk with him about money, or asked him for any money. I am now trying to show what was said between Mr. Dakin, Mr. Fellows and the witness with reference to money.

Mr. Holden—If I may be permitted to reply briefly I will say this in answer to the gentleman, that when the Speaker has ruled I trust that I am sufficient gentleman and sufficient of a lawyer to recognize that I am bound by the ruling, and to accept it as the law governing this case, and in the instance referred to I simply asked the gentleman to conform to the ruling which he had asked the Speaker of this House to establish in that respect. I will abide by the decisions; but I simply ask a decision upon this point of law, which is understood, I believe, by every lawyer upon this floor, that it is for the jury to determine the truth of the statement of any witness, and not for one of the witnesses to sit in judgment upon the testimony of another witness. That is my point.

The Speaker—Answer the question.

A. Well, I don't know that I can answer that positively. We were walking along in a hurry to catch the train and I paid no attention to what was said by either party. All that I recollect is about handing the money to Fellows and Dakin.

Q. You don't recollect any conversation that occurred in reference to it?

A. I know we talked about it for two or three minutes. I wouldn't swear positively whether he approached the subject first or I did.

Q. You now say you cannot say positively who did first mention the subject?

A. I would not swear positively because he might have mentioned it or I might have mentioned it. I could not say as to that.

Q. Did you not a few moments ago testify that you were positive that Fellows mentioned the subject first?

A. It is my opinion he did, but I would not be positive that he did.

Mr. Dodge—I object to that method of proceeding. “Didn't you testify that Fellows did so and so,” the record evidence is the best evidence of it. I submit it is not fair to the witness.

The Speaker—Answer the question.

Q. You cannot say whether you took out \$5 and handed it to him without being asked for it or not?

A. I think he said like this: “I have got to have some money to pay my expenses while I am here, my hotel bill and car fare,” and then I gave him \$5 at that time.

Q. Did Fellows ask you for the money?

A. I think he did.

Q. What did he say when he asked you for it?

A. All he said was, “My hotel bill is to pay and my car fare home.”

Q. Were you putting up for his expenses here?

A. I considered it as a loan because I had no money—it was nobody else's money only my own, and I think I made the remark that he would pay it back “when you get something from your trip,” or something like that.

Q. Are you sure that you said to him that he could pay it back to you?

A. I think I am. That is the way I understood it, that he was to pay it back again.

Q. I did not ask you how you understood it, I asked you if you are sure that you said to him that he could pay it back to you when he got some money out of his trip.

A. I don't know what was said in regard to that.

Q. You will not state that you made that statement to him?

A. There was something said about “I can hand it back to you when I get home,” or something like that.

Q. Who said that?

A. Mr. Fellows.

Q. Give his language as near as possible.

A. When I handed him five dollars I think he said, “When I get my money I will hand it back to you,” or something to that effect. I would not swear positively what it was, but I know he mentioned about paying it back.

Q. Had he asked you to loan him five dollars?

A. No; he asked me to let him have some money, what I could, to pay his hotel bill, or something like that.

Q. What words were used?

A. He says, “I am strapped and I have got no money, can you let me have some until I get home?”

Q. Did he say how much he wanted?

A. No, sir, there was nothing said about the amount.

Q. Did you know whether Mr. Dakin had any money with him at that time?

A. No, sir, I did not.

Q. You did not know whether he had a hundred or five hundred dollars upon his person at that time?

A. I didn't know that he had a cent.

Q. Mr. Dakin didn't ask you for any money?

A. No, sir.

Q. Never mentioned the subject to you at all?

A. Mr. Dakin did not.

Q. And yet you took out two dollars and handed it to him without a word?

A. Yes, sir.

Q. Why did you do that?

A. I don't know hardly why I did it. I did it, and that is about all the answer I can give you.

Q. You stated to the House committee in the judiciary last Monday that you loaned it to him, didn't you?

Mr. Dodge—I object to that for this reason, that Mr. Shackleton, if I understand his coming here correctly, was subpoenaed as a witness upon the part of the prosecution; he was brought before the committee, and we have no means of knowing what he said there, and now he is asking him questions for the purpose of laying the foundation for an impeachment of the man whom they subpoenaed here as a witness upon the part of the prosecution, and, as is suggested, subpoenaed him before the day that the examination was to take place in this House. I submit that it is not only unfair but I submit that it is an outrage, because these gentlemen have sat here and repeatedly said that these men were not subpoenaed on the part of the prosecution, and yet they have been before that committee and been interrogated and their statements taken down in writing. I submit they ought not to do this in this proceeding. It has been tolerated here to some extent without objection, but I submit it ought to end now.

Mr. Conductor Herrington—I will simply say on behalf of the committee that Mr. Shackleton was subpoenaed at the request of Mr. Dakin.

The Speaker—Was Mr. Shackleton subpoenaed before this matter was determined to be tried before the whole House?

Mr. Herrington—I don't know as to that.

Mr. Dodge—If I may be pardoned for asking a question I would like to ask the gentleman whether or not it was not their purpose to have Mr. Shackleton, Mr. Fellows and Mr. Representative Green come before their committee to be interrogated as witnesses upon the part of the prosecution, or any one of those gentlemen?

Mr. Conductor Herrington—I cannot say as to that. I can tell what my own intentions were.

Q. Won't the gentleman state whether or not the committee had knowledge of the fact that these men were to come before their committee and testify?

Mr. Conductor Herrington—I hadn't any myself.

Mr. Dodge—Will some member of the committee please state whether the gentleman came before them and—

Mr. Conductor Herrington—I object to this. They have put this witness upon the stand, and if we had forethought enough to question him beforehand so as to know what he would testify, that is our good fortune; and they cannot now object to the cross-examination simply because we have asked him some questions beforehand.

Mr. Dodge—We raise no objection to that part of this proceeding, and the

single fact of their interrogating this witness, but what we do object to is this parading of the fact before the members of this House, this jury that are sitting here in judgment upon the respondent—parading the fact that this man was subpoenaed here upon a telegram, and yet they have had him before their committee a day before this examination before the whole House, undertaking to find out what he knew about this case. I submit that the lawyer members of this committee are experienced gentlemen, and they ought to know that this is unfair, to say the least. If they came here as our witnesses they had no right, in fairness and in justice, according to the practice recognized in the courts, to call these witnesses before their committee and interrogate them as to what they knew about the facts in view of this proceeding. I submit it is unfair, and I submit that the Speaker is too much of a lawyer to tolerate it if his attention is called to it.

The Speaker.—That part of the proceeding has already occurred.

Mr. Dodge.—The Speaker has tolerated the doing of this one thing, therefore we challenge attention to it that these men are being paraded before this House as witnesses on the part of the defense, and yet the gentlemen are going into an examination that they had in the private committee room that we know nothing about and they are proceeding upon the assumption that these witnesses at that time were witnesses called before their committee upon the part of the prosecution.

The Speaker.—What is the question?

The official stenographer repeated the question as follows: Q. You stated to this committee in the judiciary room last Monday that you loaned it to him, didn't you?

The Speaker.—Answer the question.

A. No, sir, I did not consider that it was a loan.

Q. I did not ask you that question. I ask you if you did not so state to the judiciary committee last Monday?

A. I hardly know what I did state.

Mr. Van Zile—I learn that the statement in the judiciary room was taken down. If this is to proceed in this way, I consider it is unfair. I want to go upon record as far as that is concerned. I submit these gentlemen ought to allow the privilege of seeing the statement that is in writing and not to interrogate the witness as to what he said. If it was taken down, let us have it.

A. I might say this: I was asked questions by I think three different lawyers at the time and got considerably mixed up.

Q. You got considerably mixed up, did you?

A. In that way yes, sir.

Mr. Van Zile—I understand the gentleman now refuses to allow us to see the statements that were made in this star chamber court of theirs in the judiciary committee room. I want that to appear.

Mr. Conductor Herrington—Q. Did you ever appear before Mr. Dodge previous to the commencement of this examination?

Mr. Dodge—That is objected to. There is no question but what he did, but not as a witness on the part of the prosecution. He was our witness and we talked to him in good faith and we call him here now in good faith.

Mr. Conductor Herrington. I am glad to hear the gentlemen own up. He says these men are our witnesses, subpoenaed by us. Now he owns up that he was trying to tamper with one of our witnesses, according to his own statement.

The Speaker.—The witness will answer the question.

The question was repeated by the official stenographer as follows: Q. Did you ever appear before Mr. Dodge previous to the commencement of this examination.

A. I did, for perhaps five minutes.

Q. Did you ever appear before Mr. Holden previous to the commencement of this examination.

A. Mr. Holden come to my house on Sunday a few minutes. He did not talk any about this matter that I know of particularly.

Q. Didn't talk anything about this case?

A. Not that amounted to anything, no, sir.

Q. What did he come there for?

A. Well, I don't know, as I could hardly tell you.

Q. Didn't he come there to see you about this matter?

A. Well, he called on me and we talked—

Q. Didn't he come there to see you about this matter?

A. Well, I think, perhaps he did.

Q. And yet he did not talk to you about it?

A. Well, we talked about different things while he was there.

Q. You stated a few minutes ago that he did not say anything to you much about this case particularly, is that true?

A. Well, I don't recollect now just what he did talk on.

Q. You recollect that he came there to see you about this case?

A. I know he was in my house on Sunday afternoon about fifteen minutes, perhaps twenty minutes.

Q. And yet he did not say anything about this case that you can now remember?

A. No, sir, I don't recollect of anything that was said in regard to it.

Q. You don't recollect that anything was said in regard to it?

A. I think Mr. Holden made a remark like this: He said "The only thing I can do is plead for mercy in this matter." That was about the only thing that I recollect that took place.

Q. To return to this conversation on the way to the train—we have got past this little tempest in a tea pot—what did you say to Mr. Dakin when you handed him this \$2?

A. I said "Take it and buy some beer with it." First I said to buy cigars with it, and then I said "Buy some beer with it," after he said he did not smoke.

Q. Give us the language as nearly as you can just as it occurred.

A. To the best of my recollection now I handed him the \$2 and I said "Here Dakin, the Saginaw boys have had a good deal of fun over this charter and spent some money, and I don't believe you have had hardly a glass of beer out of it. You take this \$2 and buy some cigars with it." I think that was the language I used. He said he did not smoke and offered to hand it back. I said "Take it and buy some beer with it." Those were the words.

Q. What was your purpose in giving him the \$2? Was it not to influence his action in regard to the Saginaw charter bill?

A. No, sir.

Mr. Van Zile—That is objected to; it is in variance to the rule that the Speaker has laid down to state what was said and what was done, not what his intention might have been. Supposing his intention was to corrupt the Legislature, can you convict Mr. Dakin by this man's intention, or could you even compel him to answer the question?

The Speaker—Let the witness state what was said, what took place there.

A. I think Mr. Dakin put the money in his pocket and we walked on to the train.

Q. Was anything said about your loaning it to him ?

A. No, sir, I guess not about the \$2; I don't think so.

Q. You stated Monday afternoon that you loaned it to him, did you not ?

A. Well, I think there was something said about that, but come to think it over I am pretty sure that I gave it to him right out. I am certain of it.

Q. Did you state to the committee when first asked why you gave that to Dakin, that you loaned it to him. You did so state did you or not ?

A. I know I made a remark to pay it back when he got to Saginaw.

Q. No, no. I ask you if you did not state to the committee last Monday afternoon when they first asked you what you gave this money to Dakin for, that you loaned it to him.

Mr. Dodge—That is objected to for the same reason before stated.

The Speaker—Let the witness answer the question.

The official stenographer repeated the question as follows: "I ask you if you did not state to the committee last Monday afternoon when they first asked you what you gave this money to Dakin for, that you loaned it to him?"

A. Yes, sir, I think I did.

Q. You were mistaken about it then ?

A. I was not under oath then. I am now.

Q. Do you mean to say you will tell an untruth when not under oath and tell the truth when you are under oath ?

A. No, sir. I say when I was in that committee room there were three lawyers all asking questions at once.

Q. All at the same time ?

A. Well, they were all talking pretty near all the time.

Q. Did not one ask you questions and the others write down your answers ?

A. Part of the time they did, and part of the time all three of them talked if I recollect right.

Q. Did they intimidate you in any way ?

A. No, sir.

Q. Were they ungentlemanly in any way ?

A. No, sir.

Q. They treated you fairly in every way, didn't they ?

A. In every way; yes, sir.

Q. You were not excited ?

A. No, sir; not that I recollect of now.

Q. Was any undue advantage taken of you whereby you were induced to tell an untruth ?

A. No, sir; not a particle.

Q. You had a conversation at Dakin's house on the 16th or 17th, when Mr. Anthony Byrne was present, did you not ?

A. Yes, sir.

Q. It was with reference to the Saginaw charter bill ?

A. Yes, sir, that was part of it.

Q. You there stated that it would be necessary to take some money down to get this charter bill through, did you not ?

A. I don't think I did.

Q. Then Mr. Byrne's statement that Mr. Shackleton spoke and said it

would be necessary to take some money down to get this charter through was not correct. You did not make any such statement?

A. I don't recollect making any such statement now.

Q. Can you say positively that you did not make this statement, that it would be necessary to take some money down to get this charter through, but that you had no money of your own.

A. I don't think there was anything mentioned about money at Dakin's. When we got to Fellows' there was. I have no recollection of money being mentioned at Dakin's house.

Q. Did you use that language at Byrne's house?

A. No, sir.

Q. Then you never used that language at any place?

A. I think that language was used at Fellows' when we met Fellows on the street.

Q. Did you say to Fellows that it would be necessary to take some money down to get this charter bill through?

A. No, sir. Mr. Fellows stated that he had no money and I told him that if Dickson was controller we could get some money for his expenses, but as Binder was controller now I did not know whether we could or not.

Q. I ask you if you ever stated to any person that it would be necessary to take some money down to get the charter through but that you had no money of your own?

A. No, sir, I never did.

Q. Did any telegrams pass between you and Mr. Dakin or Mr. Fellows on Tuesday of last week?

A. No, sir. I sent a telegram to Crowley about 7 o'clock on Tuesday morning saying:

Q. I don't care for that. I ask you if you sent a telegram either to Mr. Dakin or to Mr. Fellows?

A. No, sir.

Q. Did they send any to you?

A. Not that I ever received.

Q. Did you promise to bring back money to Mr. Fellows or to Mr. Dakin on Tuesday night?

A. No, sir.

Q. Did you promise that in case you did not come back you would telegraph them so that they could get money in that way?

A. They asked me to, but I never made them any reply, because in the first place I did not know where I could get any money, and in the second place I did not think it was necessary, for we had everything all compromised and settled.

Q. Then you did not say to Mr. Fellows, after you handed him the \$5, "I will bring some more when I come?"

A. I have no recollection of saying that.

Q. Did Mr. Fellows then ask you if you would be back that night, Tuesday night?

A. I don't know that he ever mentioned it at all.

Q. And did you reply "I don't know?"

A. The understanding was that we were to come.

Q. Answer the question.

A. I don't recollect making him any such promise.

Q. "But you thought you would." Did you say that?

A. We expected to be back that night, yes, sir.

Q. Did you say to Mr. Fellows that you thought you would be back that night?

A. I think we made the remark that we would be back either that night or the next morning.

Q. Did you also say "If anything happens that I don't come I will telegraph you so that you can get some money by telegraph?"

A. No, sir; I never mentioned money by telegraph in any shape.

Q. You never made that statement in any shape or form?

A. No, sir; because I did not know where I could get any money and did not think we wanted it.

Q. Dakin and Fellows met you at the depot when you came back on Tuesday night, did they not?

A. Yes, sir.

Q. About a half a mile from this building right down this street?

A. Yes, sir.

Q. What time was that?

A. About nine o'clock I should think the train got in.

Q. About 9 o'clock at night?

A. Possibly a little later.

Q. They then asked you if you had brought some money, did they not?

A. I think not.

Q. What did they come down there for?

A. Well, they came down I suppose to see how we had fixed the matter up at Saginaw. I don't know of anything else.

Q. There was nothing said about what they came down for?

A. Not that I recollect of.

Q. What conversation did you have down there? Was there nothing said about this matter at all?

A. We talked about what people thought of the proposition at Saginaw, and I don't recollect whether we came up on the street car or whether walked up. I could not say now.

Q. Did not Fellows ask you if you brought some money back?

A. I think not.

Q. Will you swear positively that he did not?

A. Yes, sir, I think I would swear positively. I am quite sure that Mr. Fellows never mentioned money that night.

Q. You say you think you will? Will you?

A. Well, I would not, because I don't know. There were four or five of us walking along together and talking about different things. He might have remarked that or might not. I would not swear positively that he did and I would not swear positively that he did not.

Q. Did Mr. Dakin ask you anything about whether you brought any money back with you?

A. No, sir.

Q. Was any talk had about money that evening?

A. No, sir.

Q. Any talk about money the next morning?

A. Mr. Fellows made the remark, I think it was the night before, that some money might be used to treat the boys with to pretty good effect, just like that.

Q. That was on Monday night before you went back to Saginaw?

A. I think that was down here when we were together.

Q. Who was present?

A. Dakin, Linton, Fellows and myself.

Q. Give us his language as nearly as you can.

A. That is just about the sum and substance of it, about all there was to it.

Q. Did you make any reply to that?

A. No, sir. I did not think that was the proper way to do it. I thought there had been too much money spent down at Saginaw now for that kind of business.

Q. With whom?

A. Well, different committees that went down there.

Q. Do you mean to say that any money has been spent here among the members of this House?

A. No, sir. If I understand it right there has been a little spent down there in a social way.

Q. With whom?

Mr. Holden—That question is objected to as incompetent and immaterial.

The Speaker—Answer the question.

Mr. Conductor Herrington—I propose to show that it was not among members of this House.

The Speaker—Answer the question.

Mr. Holden—The witness does not claim to have knowledge. He said he had understood some had been used in a social way, but he does not claim to have knowledge in regard to it; it would be entirely hearsay.

The Speaker—If he knows anything about it, let him tell.

A. I don't know anything only what I have heard in a hearsay way. That is the amount of it. It is immaterial anyway.

A member—Who is to judge of that?

Q. Did you hear that the money was spent among the members?

Objected to as hearsay and immaterial.

Mr. Conductor Herrington. I admit that it is hearsay, but it seems to me that the gentleman ought not to object to that question.

The Speaker—Let him answer the question.

Q. You did not hear that any money was spent among the members did you?

A. Well, I could not say that there was any money spent—no. They took them around in hacks and treated them a little—took them around in carriages. I know in the Taylor House we met a few of them and we had a social drink apiece.

Q. Where was that?

A. At Saginaw.

Q. That did not occur in Lansing?

A. No, sir.

The Speaker—Who were they?

A. I don't know as I could tell you. Senator O'Reilly was one of them. I don't know the names of the committees that were down there. There were two or three committees.

Q. Who else?

A. I don't know as I could tell you.

Q. Do you know of your own knowledge that they were members of the House of Representatives?

A. I know there was one or two of them were.

Q. Do you know that of your own knowledge?

A. Yes, sir.

Q. Who were they?

A. Mr. Rentz was one of them.

The Speaker—Who were the others?

A. I cannot recollect his name now.

Q. Who took them around in carriages?

A. I don't know. Mr. Barnard had one rig. I don't recollect who drove the other one. It was to look over the territory of Florence.

Q. It was to look over the territory so they could see whether it was proper for it to be attached to Saginaw?

A. Yes, sir.

Q. It was not done for the purpose of influencing votes in that way?

A. No, sir, that was not thought of at all.

Q. Who was the other man?

A. I don't know as I can tell you.

Q. Then how do you know that he was a member of this House, if you do not know who he was?

A. I saw him here lots of times, but I could not place him now.

Q. Can you see him now?

A. I don't know, there are a good many faces here. No I don't believe I can.

Q. Will you say that you know that person to be a member of this house?

A. I think I would.

Q. Yet you do not know his name?

A. No, sir; I have forgotten his name.

Q. How did they happen to go up there to Saginaw?

Judge Van Zile—I don't want to take any of the time of the house, but I would like to have it go upon the record that it may be known how it is that we are cross-examining witnesses in this proceeding. I object to this that it is not proper cross-examination. Not one word was said in the direct examination about this subject, nor is it a subject that appertains to this issue here. We are not trying the justice of the members, we are trying Mr. Dakin.

Mr. Conductor Herrington.—The witness volunteered it, and then I asked to have him explain.

Judge Van Zile.—That does not make it any the more relevant.

The Speaker.—There has been considerable testimony taken here that has not been relevant. What we want to get at is the facts.

Witness.—I believe Mr. Oviatt was one of the gentlemen.

The Speaker.—The objection can go on the record if desired.

Q. Did Mr. Fellows tell you at any time that he had used \$30 of his own money?

A. I think when Mr. Byrne and I went to see him he made the remark that he was out \$30 on this charter business.

Q. Did he say how he had spent the money?

A. No, sir, he did not.

Q. Did not Mr. Fellows say to you at the time that you gave him the five dollars and Dakin the two dollars, "We are both strapped?"

A. He made the remark that he was strapped. I don't know whether he said Dakin was or not.

Q. Did you not state in the committee room last Monday afternoon that Fellows said "We are both strapped?"

A. I would not swear positively whether he said both or "We are strapped."

Q. I ask you if you did not state in the committee room last Monday afternoon to the committee that Mr. Fellows said "We are both strapped?"

A. I don't know but I did—I think I did. I know that Fellows said like this, "We are strapped." I don't know whether he said both or not.

Q. He said "We are strapped?"

A. I think those were the words he used.

Q. Did he make any statement that Dakin had used any money?

A. No, sir.

Q. Did you not so state to the committee?

A. That Dakin had used money?

Q. That Fellows said that Dakin had used money?

A. I think not.

Q. Will you state that you did not so state to the committee?

A. I have no recollection of saying that now—that Dakin used money.

Q. Used \$5 or \$6 of his own money when he said they were strapped?

A. That Dakin had used some of his own money?

Q. That Dakin had used some of his own money.

A. I have no recollection of ever hearing it mentioned before.

Q. I am requested to ask this question: Did Mr. Oviatt take a drink of liquor or smoke?

A. I could not say as to that. There were probably twenty in the bar-room.

Q. You cannot state that Mr. Oviatt drank any liquor?

A. No, sir.

Q. You cannot state that Mr. Rentz drank any liquor?

A. No; I know they were having a good, social time.

Q. You know they were in the room, but you don't know whether they took any liquor or cigars?

A. I could not swear positively.

A. I know I treated once, and it cost me \$1.50; I know that much.

Q. Did that \$1.50 go to treat the members of this Legislature?

A. It went to treat the whole house.

Q. Went to treat the house. You don't know whether the members of the Legislature drank anything or took any cigars?

A. I did not stop to see. I asked everybody to have some. I don't know whether they got it or not. I paid for it anyway.

Examined by Mr. Holden:

Q. Were you subpoenaed to appear before a special committee of the House previous to the day set for the examination of this case to commence in this hall the day previous?

Mr. Conductor Herrington—Ask him if he has the subpoena.

Mr. Holden—I will ask my own questions.

The Speaker—His subpoena is the best evidence.

Mr. Holden—If they are sensitive upon the point I will not press it.

The Speaker—The following question has been sent to the Chair to be asked: Have you at any time during the present session of the Legislature heard the name of any member of the House mentioned by Mr. Dakin, or in his presence, in regard to the use of money in connection with any matter of

legislation pending in this House, other than as stated in connection with the fifteen members already testified to?

A. No, sir, I never have.

Q. Have you ever heard of any money being used with those fifteen?

A. No, sir, in no shape, manner or form.

Mr. Holden—Or any one of them?

A. No, sir.

Mr. Conductor Herrington—Or that any could be used with them?

A. No, sir; unless it has been as stated here, taking them out and given a drink?

Q. Whom did you ever hear say that any of the fifteen could be taken out and given a drink?

A. I don't recollect any of them.

Q. Did you hear anybody so state?

A. No one but Mr. Fellows.

Q. What did he say?

A. He said you might take some of them out and have a social time.

Q. Some of those fifteen?

A. No.

Q. Why did you state as you did?

A. I mis-spoke myself in regard to the fifteen.

Q. You never heard him say that those fifteen could be taken out?

A. No, sir.

Q. Did you have a talk at the Eichle House on Tuesday night with Mr. Eaton and Mr. Tillotson about money?

A. Not about money.

Q. Did you have a talk with them there at all?

A. Yes, sir.

Q. Did you not say that Dakin wanted you to bring or telegraph money, but when you got home you found the compromise was satisfactory and you did not try to secure any money?

A. No, sir. I said Fellows had been talking about some money.

Q. Did you say that Fellows wanted you to bring or telegraph money and when you got home you found that the compromise was satisfactory and you did not try to secure any?

A. I don't recollect giving him any such answer. I told him like this, every time they mentioned money to me I never made any reply.

Q. You told them that every time they mentioned money to you gave them no reply?

A. I think that was the answer I gave.

Q. Why did you use the word they, if Mr. Dakin said nothing about money?

A. They were always together. That was the reason I suppose. I don't know what else it could have been.

TESTIMONY OF L. M. SELLERS.

L. M. Sellers, being duly sworn on behalf of the respondent, testified as follows:

Examined by Mr. Dodge.

Q. Where do you reside?

A. Cedar Springs, Kent Co.

Q. What is your business?

A. Newspaper publishing.

Q. Four years ago you were a member of the House of Representatives?

A. I was.

Q. Two years ago?

A. Yes, sir.

Q. What office did you hold in the House two years ago?

A. The office of Speaker *pro tem.* of the House.

Q. Have you been here in Lansing this session of the Legislature on several occasions?

A. I have.

Q. Are you a honorary member *ex-officio* or do you hold any position in the organization known as the Third House?

A. I did.

Q. What is your official position, so to speak, in the Third House?

A. I was elected speaker *pro tem* of the Third House at the opening of the body.

Q. Who is the Speaker of the Third House?

A. The Hon. Timothy Nester of Marquette.

Q. During your experience of four years ago and two years as a member of the Legislature, was it not a very common practice to have meetings of the Third House in the lobby and in the postoffice department, where oranges and cigars were provided by men interested in legislation; for members of the House and those gentlemen who participated in those proceedings?

Mr. Conductor Herrington—We object to that as incompetent and immaterial.

The Speaker—The chair does not see any relevancy to the issue.

Mr. Dodge—It is simply to show that oranges and cigars have for several sessions past of the Legislature been sent into the House of Representatives and into the Senate chamber, to the members, by gentlemen who are here in the interest of legislation, and not with the intention of corrupting any individual member of the Legislature generally, but simply for the purpose of sociability, and in the same manner that has been talked about that the money was to be expended if sent down from Saginaw. It is simply for the purpose of giving them to understand. Yesterday, if the Speaker please, we showed that cigars were used in one of the committee rooms. I happened to have the honor of being personally acquainted with the individual members of that committee, and I know each and every one of them to be scrupulously honest men, and it would seem to me if this objection is sustained it would be a slight reflection upon the members of that committee, and therefore we want to show that it is not only the general custom in the Legislature, but in the city of Lansing to entertain members by treating them to cigars, oranges, confectionery, and things of that kind, in a perfectly legitimate manner, and further, that entertainments have been given, we desire to show, at the Eichle House, at the Lansing House, and been given by the members of the Legislature of the present session without any evil intent or anything of that kind ever having been imputed to them by anyone. This is simply to show the general custom of the manner and the methods of conducting affairs here at Lansing.

Mr. Conductor Diekema—We on the part of the committee have no objection to any question relative to the Third House pertaining to this session. There are a few of the old members belonging to this Legislature, and it is

unfair or incompetent to go beyond this Legislature. If the gentleman will confine it to this session we as a committee have no objection.

Mr. Dodge—I shall be pleased to do that, only from the fact that several of the men numbered as of the fifteen are men of my personal acquaintance, and men with whom I myself have served in the Legislature. Men whose character and reputation is unquestioned, who have never been approached in any corrupt manner in the world, and I submit that they, having knowledge that two years ago, and four years and six years ago there was such a custom, if it is proper to show it in reference to this session, it is proper to show it two years, and even further back than that. Mr. Dakin, the accused, was a member two years ago. The witness was a member two years ago, and also my esteemed friend, Mr. Rumsey, and other men of the immortal fifteen, Mr. O'Keefe and others, and indeed quite a number of them; but they do not all occur to me at this moment.

The Speaker—I do not think there is any necessity for that testimony.

Mr. Dodge—Then, Mr. Speaker, since the committee consent that the question may pertain to this present Legislature do I understand the chair that he does not desire that he shall proceed with this session?

The Speaker—The chair has no objection as to this Legislature.

Q. During the present session of the Legislature has there been any meetings of the Third House in which persons in the capitol have participated?

A. There have.

Q. How many meetings have there been held?

A. I could not state the number. I should state three perhaps.

Q. And on those occasions were there various members of the House and Senate in attendance upon the meetings of the Third House?

A. There were.

Q. Was there any confectionery or tropical fruit and cigars purchased by the gentlemen on that occasion?

A. Not to my knowledge.

Q. Was there any money raised for any particular purpose, or assessment made?

A. There was.

Q. For what purpose?

A. The matter was brought to the Third House owing to the neglect of a duty by the Second House here two years ago in regard to the reverend gentlemen who came up here and prayed for the sinners here.

Q. The sinners that were here then?

A. Yes. That they did not even, two years ago, give the reverend gentlemen a vote of thanks. Four years ago, I understand, they did that much for them. The Third House took the matter under consideration, and in order to raise that money, I think \$100, they made an assessment at the opening of the Legislature on the Senatorial candidates. I think I have with me the resolution.

Q. Don't understand me as trying to inquire into the Senatorial canvass. We simply want to get at the fact as to whether or not money has been used.

Mr. Manly—As one of the jurors I would like to have the very inside facts, and if it involved any of the Senatorial candidates we would like to know it.

A. The assessment for this purpose was made as all other assessments were made in the Third House during this session as far as I know, and they were

made like this for the reverend gentlemen who came here every morning and offered prayer, to the Lyons' sufferers, and I understand a few widows and orphans in the city that some wood and flour had been appropriated to, and I was about to state how the money was raised. The Third House passed a resolution to raise th s money, and the money in the Third House has been raised only from candidates from the United States Senate, and State officers elected or holding an appointive office in the State.

Q. You do not mean to say that the custom and practice of the Third House this session is any different from previous sessions, they take in everybody who has an interest in legislation and make assessments, providing they are brought before that honorable body?

A. There was no gentlemen brought before that body during this session that had any legislation or was interested in any to my knowledge. I have the resolutions, and I would offer them to the clerk to read, to show what this money was raised for and how.

Q. You may read it if you please?

The clerk read as follows :

THIRD HOUSE OF REPRESENTATIVES, }
General Order No. 2. }

WHEREAS, this House is informed that several gentlemen of State and national reputation are now in the city for the purpose of inducing the present Legislature to elect one of their number as the successor of Omar D. Conger in the United States Senate, and

WHEREAS, owing to the difference of opinion as to which of these gentlemen shall be elected, there is liable to be a protracted discussion, and possibly some deviations from the strict teaching of christianity, and

WHEREAS, this great State has neglected by proper enactment to provide pay for the reverend gentlemen who, on each morning of the session of the Legislature of the State of Michigan, utter words of wisdom and supplication for the atonement of man, therefore

Resolved, That the first duty of this House shall be to provide compensation for the reverend but neglected gentlemen. And be it further

Resolved, That the gentlemen whose names have been mentioned as candidates for the exalted office of U.S. Senator are hereby cited to appear before the bar of this House, within a reasonable time, and be required to contribute such sums as this body may deem just, in aid of the long neglected workers in the vineyard of the Lord.

TIMOTHY NESTER,
Speaker Third House.

Attest:

F. W. PHILLIPS,
Acting Sec'y Third House.

L. Mc. K. SELLERS,
Speaker pro tem. Third House.

Q. Do you know whether or not any money has been used for the purpose of buying cigars for the members of the Third House or any one else?

A. I do not.

Q. Have cigars been provided gratuitously for members generally and for members of the Third House in the postoffice department?

A. There were not at any meeting. I was at but one meeting of the Third House during the present session.

Q. You have only attended one meeting ?

A. That is all.

Q. How many meetings have there been of the Third House to your knowledge; is there an official record of them ?

A. I think there is; as I understand, three.

Q. As an officer of the Third House I would like to ask you if it is not true that the money usually raised by the Third House is used, in part, for not only the purposes you have stated but for buying cigars, and oranges and fruit ?

Mr. Conductor Diekema—I object to the question so far as it goes beyond this session, under the ruling.

The Speaker—Confine your questions to this session.

Q. The money that has been raised in the Third House during the present session is all in the hands of the treasurer, at the present time, the Post Mistress in the postoffice.

Q. You don't know of any particular use that has been made of it this session ?

A. Not outside of what I have stated.

Q. Have you any personal knowledge of there being in any of the committee rooms any cards displayed similar to the ones stated by the Hon. Mr. Bates, at this session, with regard to cigars ?

A. I have not noticed any.

Q. Were you present on the occasion when the Hon. Senator from the 32d district had his banquet ?

A. I was not.

Q. Were you here at the time of the reception given by the president of the Senate ?

A. I was not.

Q. Not on either of those occasions ?

A. No, sir.

Q. You served in the Legislature two years ago with Mr. Milo H. Dakin from Saginaw ?

A. Yes, sir.

Q. You are acquainted with him ?

A. At the opening of the session two years ago first.

Q. During your acquaintance with Milo H. Dakin have you ever heard it insinuated or intimated that he was anything but an honest man in his private character and in his official position here in the Legislature ?

A. I have not.

Q. Up until the time that these charges were preferred I mean ?

A. I have not.

CROSS-EXAMINATION BY MR. CONDUCTOR DIEKEMA.

Q. Is the Third House composed of any of the members of the Legislature ?

A. They are honorary members as I understand it.

Q. Do the members of the Legislature take any part in the proceedings of the Third House ?

A. Not to my knowledge.

Q. It then is composed of gentlemen from outside that are here visiting ?

A. Yes, sir. Of course the members of the present House are members there and enjoy the entertainment with the rest and perhaps participate, in a social way. In the workings of the House I do not know that they do.

Q. To your knowledge where was the money raised by the Third House this year used ?

A. For the purpose stated.

Q. Did you state the amount ?

A. I could not give the amount at present. There was one hundred² dollars I believe raised for the ministers here. The other amounts I could not give. The treasurer has it in the postoffice. I would like to state that the Third House gave \$25 to Mr. Button of Grand Rapids, the crippled soldier who has a bill here in the Senate at the present time.

Q. Was there anything appropriated for the Lyons sufferers ?

A. There was.

Q. Do you remember the amount ?

A. I do not.

Re-direct examination by Mr. Dodge :

Q. From whom was this money raised ? Simply those interested in the Senatorial contest ?

A. No, sir.

Q. Outside parties ?

A. Outside parties over the State. Mr. —

Q. Never mind any names, but from outside parties that were present at the capitol.

A. Yes, sir.

The Speaker read the following question :

Q. Have you at any time during the present session of the Legislature heard the name of any member of the House mentioned by Mr. Dakin or in his presence in regard to the use of money in connection with any matter of legislation pending in this House other than as stated in connection with the fifteen members already specified, or any of the fifteen ?

A. I have not.

Mr. Manly—I would like to ask Mr. Sellers what candidates for the United States Senate contributed to this fund ?

Mr. Conductor Diekema—That is objected to.

Mr. Manly—It seems to me it is a proper question. The gentleman has asked the question and we want the whole facts.

The Speaker—The witness may answer the question.

A. I could not state as to that. There was a committee appointed to wait upon the honorable gentlemen who were candidates, and the committee called on quite a number but they did not all respond, and a part did respond I am quite sure. I think there was about one hundred dollars raised.

Mr. Manly—Does that paper contain the names of those who subscribed to this fund ?

A. It does not.

The Speaker—Were there any oranges or cigars purchased for the members of the present House by the Third House, to your knowledge ?

A. No, sir.

Mr. Dodge—Mr. Speaker, I would like to ask the Speaker to reconsider the ruling with reference to confining the oranges and cigars to the present House, only for this purpose: I don't want to have it understood that we are undertaking to draw out that testimony for the purpose of reflecting upon this House, but it is simply a custom that has been in vogue here for a long time and carried on without any one giving any sort of attention to it or thinking there was anything wrong at all. I would like to put myself

upon the record that I, and very many of the men here in these fifteen members of this present House, have participated in the meetings of the Third House. I want to say that my motive in getting this out is the best possible, simply to show that this is a custom and it dates back of this Legislature.

The Speaker—The Speaker is much pleased to know that it dates back of this Legislature and that nothing of the kind has taken place during this Legislature, and is fully of the opinion that testimony of that kind should not be admitted.

Mr. Manly—I would like to ask the gentleman some questions.

The Speaker—The gentleman will remember the rule.

The following question was read by the Speaker:

Q. Did not Mr. A. W. Wright and Mr. Pollaski and Dr. Langsdorf pay into this fund the sum of ten dollars each?

A. Not to my knowledge. I would state to the House that that matter was before the Legislature at some session of the Third House from which I was absent.

TESTIMONY OF FRANK W. PHILLIPS.

Frank W. Phillips, being duly sworn, testified as follows:

Examined by Mr. Dodge.

Q. Where do you reside?

A. Lansing at the present time.

Q. What is your business?

A. I am a journalist, correspondent of the press.

Q. You correspond for several newspapers?

A. Yes, sir.

Q. Do you know about such an organization commonly called the Third House?

A. Yes, I do.

Q. Do you hold any official position in that?

A. I am first assistant sergeant-at-arms of the Third House at the present time.

Q. How long have you held that position?

A. Since the opening of this session of the Legislature.

Q. Have you been in attendance upon the several meetings of the Third House?

A. Not all of them, several of them.

Q. You have heard the testimony of your worthy Speaker *pro tem.*?

A. I have.

Q. Will you be kind enough to state whether or not, aside from the matter that he referred to, there has been any money assessed against the several parties visiting the capital city and used for any other purpose than that stated by him?

A. I wish you would make your question more definite. It is so indefinite I could not answer it under oath.

Q. Do you know of any money being expended that was collected by the Third House?

A. Yes, I do.

Q. Please state what you know about it.

Mr. Conductor Herrington—I object to it as incompetent and immaterial. If he will ask the witness if any money has been expended among the members of this House during the present session we have no objection, but outside of that we do object.

The Speaker—Confine your questions to the members of this House.

Q. I will ask you, under the ruling of the Chair, whether or not any money has been assessed and paid in to the Third House when members of the House or Senate of the present Legislature were in attendance upon your meeting?

Mr. Conductor Herrington—I object to it.

Mr. Speaker—The witness need not answer that question.

Q. Whether or not any money has been used in purchasing oranges or tropical fruit or cigars and sent in to the members of the Legislature, or provided for them out where the meetings are held by the Third House?

A. Not to my knowledge, if you refer to the present session of the Legislature.

Q. You say you have not attended all of the meetings of the Third House?

A. No, sir; I think there was one meeting which I was unable to be present at.

Q. Do you know of any money being expended except as has been stated here by the Speaker *pro tem.*, that the members of this House or the Senate had any knowledge of during this session of the Legislature?

Mr. Conductor Herrington—That is objected to.

The Speaker—He need not answer the question.

Q. Do you know whether or not there are any cards or posters in any of the committee rooms such as was alluded to by Mr. Bates yesterday, except the one in the room of municipal corporations, either in the House or Senate?

A. I do.

Q. Please state where.

A. There is one in the railroad committee room of the Senate, or was one.

Q. How did it read?

Mr. Conductor Diekema.—I object to any posters or cards in the Senate room. The gentleman will confine himself to the House.

Judge Van Zile.—It seems to me that the counsel upon the other side possibly may misapprehend the object we have in this. It is not simply for the purpose of proving that these practices have been carried on in these committee rooms or about the capitol, but it is simply to show that such things as these came to the knowledge—

The Speaker.—The Speaker has no objection to his answering the question, but the card would be better evidence of its contents than his recollection of it.

Judge Van Zile.—If there is a card in existence that would be proper. I do not know that these have been very carefully preserved.

The Speaker.—Being important matters I should think they would have preserved them.

Judge Van Zile.—We are hardly willing to concede that they are very important matters. All we care for is simply the effect that it might have on individuals who saw them and knew that this was the practice, whether there was any idea of sociability of that kind among the members of the House or here about Lansing. However, if counsel insist we will undertake to pursue the very formal and technical way of proving these things, by calling witnesses to prove the loss of the card, and if not lost, to produce them, but it will take considerable time.

The Speaker.—To save time the chair will rule any further testimony upon this point will not be in order.

Mr. Manly—Here is a question I would like to ask.

The Speaker—Send up the question and it will be asked.

The Speaker then read the question as follows:

“Do you know of any candidate for the United States Senate paying any money into the Third House during this session?”

A. Of my own knowledge no, sir; I do not see them pay any money in.

The Speaker—Are there any other questions?

Mr. Manly—I would like to ask the gentleman if he did not see some money paid into the hands of the postmistress?

A. I did not.

By Mr. Dodge—You have been here in Lansing on several occasions when the Legislature has been in session?

A. Yes, sir, this is my fifth consecutive session.

Q. Were you present here two years ago during the entire session nearly or a large portion of the session of the Legislature?

A. No, sir, I was not. I was not here over one-third of the session probably.

Q. A large portion?

A. Not over one-third of the time.

Q. During that time did you frequently see the respondent here in the House?

A. Yes, sir, I saw him; knew him by sight only.

Q. Did you become personally acquainted with him?

A. I did not.

Q. When did you first, if ever, become acquainted with him?

A. I have only a casual acquaintance with him at the present time, a bare speaking acquaintance.

Q. During the time that you have known Mr. Dakin personally and by reputation, have you ever heard from him directly or indirectly that a member of the Legislature of the present session could be approached corruptly or with any improper motive or purpose in view?

A. I never did; certainly not.

Q. What do you understand from the general report, if you have any understanding, is the opinion of the members of the Legislature here about Mr. Dakin's reputation for truth and veracity?

Mr. Conductor Diekema—That question is objected to.

Q. What was it previous to the time that these charges were preferred against him?

Mr. Conductor Diekema—I object to that.

The Speaker—He need not answer that.

Mr. Dodge—As Judge Van Zile stated, the purpose of this testimony with regard to these cards is not to reflect on any member of this House, and indeed the contrary idea or object is constantly in our minds. We do not want to have it understood that these cards were used anywhere or at any time, either in the House or in the Senate or rooms with anything bordering on an improper purpose, and if the Speaker please, the reason why I desire to go back of this session was simply to show that those were the things that had been up and become a part of the custom and habits and ways of conducting matters around the halls of legislation, and that it is not for a corrupt design or purpose, and I submit that the Speaker ought to permit us to go into these facts briefly. I think there are a number of members of the

House here who would like to know something about the origin or at least the continuance of that practice.

The Speaker—The chair does not. The Speaker thinks it should have been abolished long ago.

Mr. Dodge—That is undoubtedly the opinion of the Speaker, but undoubtedly that is not the idea. The purpose is to get at the fact that these things have existed, whether good, or bad, or indifferent, or whether they ever had any effect in the world in the legislation either in the House or Senate. That is the idea, and it must be that you misapprehend our motive or intention in wishing to introduce this testimony. I do not doubt that there is a member of this House but that regrets that there has ever been such a practice, but they have gotten into the habit thoughtlessly and unconsciously without any intention of doing wrong, or allowing themselves in any way to become influenced by these things.

The Speaker.—The chair will maintain its position in regard to the further introduction of that class of testimony.

The Speaker then announced in accordance with the rule, that the House would stand at recess until 2 o'clock p. m.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the investigation of the charges against Representative Dakin.

TESTIMONY OF HON. MILO H. DAKIN, RESPONDENT.

Milo H. Dakin, respondent, being duly sworn, testified as follows:

Examined by Mr. Holden.

Q. What is your age?

A. Thirty-eight years.

Q. Where were you born?

A. In this county.

Q. Lived here until about what year?

A. I lived here until about 1863.

Q. Where then did you go?

A. I went into the army.

Q. What company and regiment?

A. Company C, 9th Michigan cavalry.

Q. What army?

A. Sherman's army.

Q. What campaign?

A. The campaign to the sea.

Q. "From Atlanta to the sea," as the song goes.

A. Yes, sir.

Q. When were you discharged from the army?

A. At the close of the war, 1865.

Q. Did you receive an honorable discharge ?

A. Yes, sir.

Q. In what army engagements did you take part ?

A. The seige of Atlanta, the capture of Savannah and the reduction of Charleston and Columbia, South Carolina, Raliegh, North Carolina, all the way through.

Q. All of the principal engagements of that famous campaign ?

A. Yes, sir. I was on escort duty part of the time.

Q. Previous to enlistment in the army what had been your business ?

A. Working on the farm.

Q. After you had returned frym the army where did you reside?

A. I resided in Jackson county.

Q. Engaged in what business?

A. Farming.

Q. Where next after that?

A. Ionia county.

Q. In what business?

A. Farming.

Q. Where from there?

A. Montcalm county.

Q. In the same business?

A. Milling.

Q. Where did you go from there?

A. I went from there to Saginaw.

Q. And have lived there ever since?

A. Yes, sir.

Q. In what year did you go to Saginaw?

A. About 8 years ago.

Q. In what business have been engaged there?

A. Milling.

Q. In what particular capacity?

A. Drag sawing, packing and inspecting.

Q. Shingles or lumber?

A. Shingles.

Q. What was your age when you went into the army?

A. 15 years.

Q. Have you been to school since you returned from the army?

A. I went to school about two months.

Q. At what place ?

A. In this county.

Q. What positions of honor and trust have you held?

A. Member of the Legislature, also treasurer of the State Assembly of the Knights of Labor of Michigan.

Q. When were you chosen to that responsible and honorable positon ?

A. Over a year ago.

Q. Do you now hold it ?

A. No, sir.

Q. What other positions of trust, if any ?

A. Nothing only an officer in the Local to which I belong.

Q. Have you been master and treasurer of your local ?

A. Yes, sir.

Q. Both ?

A. Yes, sir.

Q. Are you now ?

A. Treasurer now.

Q. When were you elected to this Legislature first ?

A. Two years ago last fall.

Q. Who was your competitor ?

A. John Backus.

Q. Was he also your employer ?

A. No, sir.

Q. Who was your predecessor in this House ?

A. The Hon. Newell Barnard.

Q. You were re-elected again at the last general election, were you ?

A. Yes, sir.

Q. By an increased majority or otherwise ?

A. Virtually, yes.

Q. Who was your competitor in the last election ?

A. A gentleman by the name of Levi Tillotson.

Q. The gentleman who has testified in this matter ?

A. Yes, sir.

Q. Have you a family ?

A. Yes, sir.

Q. Consisting of what ?

A. Two children.

Q. Is your wife living ?

A. Yes, sir.

Q. And they reside in Saginaw ?

A. One of my children resides in this county now on a farm.

Q. What age is the child that is in this county ?

A. He is past eighteen years.

Q. The other is at home with its mother ?

A. Yes, sir.

Q. What is the age of that child ?

A. Thirteen years past.

Q. Your district, I believe, consists of the city of Saginaw, the township of Carrolton and the township of Zilwaukee.

A. Yes, sir.

Q. And did during the first term ?

A. Yes, sir.

Q. Do you know Frederic L. Eaton ?

A. Yes, sir.

Q. And the other witnesses from Saginaw who have been sworn ?

A. Yes, sir.

Q. How long have you known Mr. Eaton ?

A. Probably five or six years.

Q. I don't care to go into details concerning the amendment of the charter of Saginaw, for I do not care whether it was amended or not, but is it a fact that the bill has been pending here concerning it for some time ?

A. Yes, sir.

Q. And that it is true, as stated by the various witnesses, that citizens of Saginaw have frequently been here in regard to the measure ?

A. Yes, sir.

Q. Do you know who was the city attorney of Saginaw for the year last past previous to recently?

A. Mr. Frederic L. Eaton.

Q. Who is his successor?

A. Mr. Frank Emerick.

Q. Recently appointed?

A. Yes, sir.

Q. Did you know of the fact of Mayor Hill of Saginaw nominating for re-election Frederic L. Eaton?

A. Yes, sir.

Q. Will you state to this House whether you were favorable to his re-election?

A. I was not.

Q. Alderman Fellows was then a member of the council?

A. Yes, sir.

Q. And as you understand voted against him?

A. Yes, sir.

Q. Mayor Shackleton was then an alderman and also voted against his confirmation?

A. I believe so.

Q. And the nomination was rejected?

A. Yes, sir.

Q. Mr. Eaton continued to hold until the election of Shackleton as mayor?

A. Yes, sir.

Q. And Mr. Shackleton as mayor did not present his name to the new council for the position?

A. No, sir.

Q. Do you know whether Mr. Eaton felt in any way unkind towards you from any interest you may have taken in his defeat for the position?

A. I have met him a great many times on the street and he would not look at me nor speak to me. He lives in the same ward as me, and I opposed him for election as supervisor five or six years ago and helped defeat him.

Q. This bill that is pending at this time concerning the charter was favored by you, or otherwise, in the present form?

A. In its present form as it is now I favor it.

Q. Did you understand that Mr. Eaton also favored it?

A. Yes, sir.

Q. The differences then concerning views in regard to the charter or charters of the city of Saginaw had been healed between yourself and Mr. Eaton?

A. Yes, sir.

Q. And each favor the passage of the bill as it now is?

A. As far as I know, yes, sir.

Q. And the large number of lobbyists who came here in the interest of the bill from Saginaw city as you understand also favored it?

A. Yes, sir, as far as I know.

Q. There was no particular disagreement in regard to it?

A. No, sir.

Q. It is a fact that the bill was antagonized in some of its features by the representative from East Saginaw, was it not, in its present form?

A. Yes, sir.

Q. State whether you labored as a member upon this floor to harmonize the

differences of opinion between the East Saginaw representative and the members in interest concerning your own charter.

A. Yes, sir; the member from East Saginaw and I conferred together a great deal on our charter.

Q. With a view of coming to some conclusion that was honorable and satisfactory to both?

A. Always that way.

Q. And never with any other view?

A. No, sir.

Q. After Mr. Eaton's successor had been chosen and the differences of opinion between yourself and Mr. Eaton in regard to the pending charter had been harmonized, state whether there seemed to be any change in Mr. Eaton toward you, in the way of recognition or friendliness, or otherwise.

A. Well, whether the charter as fixed suited him entirely or not I don't know, but he appeared friendly.

Q. Since then state whether he has been accustomed to recognize you when he has met you?

A. Yes, sir.

Q. And has appeared friendly until this matter arose?

A. Yes, sir.

Q. Now you remember meeting him on the 19th of this month in Lansing?

A. Yes, sir.

Q. Where did you first meet him, according to your present recollection, on that day?

A. Down on the next floor below this.

Q. I call your attention now to a statement, which was given in evidence as having been made and subscribed by yourself in the presence of 15 of the members of this House, and his Honor the Speaker, and Mr. Eaton, in some committee room, wherein it appears I believe—taken in the form it was—that you did not see Mr. Eaton at that time.

A. I saw him at that place.

Q. And did you mean that the committee should understand at the time that you did not see him?

A. I do not understand your question.

Q. Did you mean that the committee should understand that you did not see him at that place; that is did you intend to deny to them that you had seen him there?

A. In the committee room?

Q. No.

A. Down below?

Q. Yes.

A. No, sir.

Q. Were you conscious that the statement appeared in that way when you signed it?

A. I was not.

Q. It then was a fact that you did meet him in the corridor below and have a talk with him in the morning?

A. Yes, sir.

Q. And you have never consciously stated to the contrary?

A. No, sir.

Q. Or meant so to state?

A. No, sir.

Q. What was the conversation that you had with him there at that time? I do not expect you can give the exact words, but if you can do so, do it, and if you cannot remember the exact words give us the substance and purport of it as fully and completely as it is possible for you to do.

A. He and Smith met us in the corridor. He said to Fellows, "What is the outlook of our charter?" Fellows said, "First rate." Then he said, "Where is Mr. Shackleton." And I answered that he had gone back to Saginaw with Mr. Linton to help fix this trouble up between the two cities and to get some money, as he came down without any—to get some money as he came down without any. That is the talk I had with him there.

Q. Mr. Linton, who had previously opposed your bill—I understand this was your bill, was it?

A. No, sir, this is the amended bill—amended by the bill that I introduced.

Q. Well, the same thing practically. You had charge of it?

A. Yes, sir.

Q. Mr. Linton having previously opposed the measure, and having gone with Mayor Shackleton of your city back to Saginaw, did not expect that a meeting of the committee would be had that day?

A. No, sir.

Q. In their absence?

A. No, sir.

Q. Do you remember whether you so stated to Mr. Eaton?

A. I think I told him that there would be no meeting that day. I think I did.

Q. I understand from the other witnesses that a meeting had been previously set for that afternoon?

A. That is what I understood, yes, sir.

Q. Did you see a memorandum or proposition—afterwards a proposition—by Mayor Shackleton in regard to the matter?

A. I did.

Q. Before or after he went to Saginaw with Mr. Linton?

A. Before.

Q. Who had it?

A. I think I had it in my hands myself and I saw it in Mr. Linton's hands and in Mr. Shackleton's hands.

Q. And Mr. Fellows'?

A. I am not sure whether I saw it in Mr. Fellows' hands or not.

Q. Well, it was with reference to fixing up the difference that existed in the opinion of Mr. Linton and Mr. Shackleton that they went to Saginaw?

A. Yes, sir.

Q. The memorandum containing the purport of it as you supposed?

A. Yes, sir.

Q. That was understood by you as the reason why they were going there?

A. Yes, sir.

Q. Did they go in the morning or in the afternoon?

A. They went in the morning.

Q. And when did Mr. Linton return, as you now remember?

A. I think he returned the same night, if I remember right.

Q. In the meantime Mr. Eaton came, did he?

A. I did not see him.

Q. Well, going back a little: After you had the talk with Mr. Eaton in the corridor below where did you go?

A. I went down on the corner of the street below here. I don't know the name of the street.

Q. Who was with you ?

A. Mr. Fellows.

Q. And he was here in the interest of the charter ?

A. Yes, sir.

Q. As you had understood had been sent by the common council of the city ?

A. No, sir.

Q. Or by whom ?

A. By the mayor.

Q. Had he previously been here by direction of the council as you understood ?

A. Yes, sir.

Q. But at this particular time was here by the direction of the mayor of the city ?

A. Yes, sir.

Q. How did you come to that understanding ?

A. I recommended him to the mayor to be appointed to come here in the interest of the charter.

Q. And who else did you recommend should come ?

A. Ex-Gov. Jerome and the mayor also.

Q. Did you understand why the ex-governor did not come ?

A. I could not state only from hearsay.

Q. I ask if you heard why he did not come ?

A. I heard it was because he was sick or something of that kind.

Q. Ill and unable to come ?

A. Yes, sir.

Q. Where did you see Mr. Eaton again ?

A. I saw him on the opposite corner of the street, on the main street below here.

Q. That is down town ?

A. Yes, sir.

Q. Down by the bank ?

A. Yes, sir.

Q. Who was with him ?

A. There was no one with him. He came there and met Mr. Fellows and Mr. Crowley and me.

Q. And entered into conversation ?

A. Yes, sir.

Q. State whether he appeared friendly or unfriendly that morning ?

A. Friendly, sir.

Q. As much so as any gentleman.

A. Yes, sir.

Q. Had you any unfriendly feeling toward him at that time ?

A. Not any.

Q. Did you suppose that he at that time entertained any unfriendly feeling toward you ?

A. I don't think I did.

Q. I suppose you entered into conversation concerning the charter ?

A. Yes, sir.

Q. And you went into the Windsor, as stated by the others ?

A. Yes, sir.

Q. Sat down there?

A. Yes, sir.

Q. You took some sour wine?

A. Yes, sir.

Q. And the other gentlemen did not take sour wine?

A. It did not look like sour wine.

Q. How came you to go into the Windsor at that time?

A. By invitation of Mr. Eaton.

Q. And the talk was had there?

A. Yes, sir.

Q. Now from the time you met on the corner, give me what was said as you now remember it.

A. As I remember it he said "Well, Mr. Fellows, Shackleton didn't bring you any money?" and Mr. Fellows said "No." "Well," he said, "Do you think that money could be used here to further the interests of our charter? or words to that effect, and I think before there was any answer made he said "Well, now, let's go somewhere and sit down and talk this thing over." So we went down to the Windsor restrurant, and we all took seats in one of the stalls. Mr. Crowley called on the drinks, and after we had drank Mr. Eaton pulled out a roll call out of his pocket. "Now," he says "Dakin, those friends that you would like to have a good time with, just tell me who they are." I think I named over one or two names to him verbally. "Well," he says, "To get at this better take your pencil and check them off." I took a pencil and checked them off.

Q. Do you remember whose pencil?

A. I think it was my own.

Q. He asked you to check them?

A. Yes, sir. Now he says, "To get at the exact amount which you think will be necessary to see these men or to go around with them, set down about what you think it would take, about what the amount would be." Previously he asked me what it would cost. I told him that I had no idea. Then he asked me to set down the amount.

Q. What did he say in regard to the amount?

A. He says, "So that we can get at some exact figure so that we will know about what to do." So I had in my mind an idea of about what expense it would be to have a time with the boys——

Q. In a social way, you mean?

A. Yes, sir; and I sat down the amount so that it would tally very nearly with my judgment.

Q. Previous to his asking you to put down those figures you had, at his request, checked certain names upon the list?

A. Yes, sir.

Q. Now which members did he wish the figures set opposite?

A. He left that to my own discretion.

Q. What was said, if anything, in regard to putting figures down by those that had been checked by you or otherwise?

A. He says, "put down the figures by those that you have checked," or "those that you have checked set down the figures to," or something of that kind.

Q. Previous to the agreement between yourself and the gentlemen from

Saginaw having the charter interest at stake, had there been a difference of opinion between you and Eaton?

A. In regard to the charter?

Q. Yes.

A. Yes, sir.

Q. And that had all been harmonized before this, as you understood it?

A. Yes, sir.

Q. Now, as between Eaton and yourself, which one suggested the raising of any funds for a good time in a social way?

A. As between Eaton and myself?

Q. Yes. That is, suggested the use of money in a social way.

A. Mr. Eaton.

Q. Now, but for his request that you check opposite the names of members upon the roll call which he furnished you, would you have done any checking?

A. If he hadn't requested me to?

Q. Yes.

A. Oh, no.

Q. Did any one else urge you to check them?

A. No, sir.

Q. And at that time you checked them nothing had been said about putting down figures opposite the names?

A. No, sir.

Q. If Eaton had not requested you to put the figures down opposite those names would you have done so?

A. No, sir.

Q. Had you any intention of doing so until urged by him?

A. No, sir; I never thought of it.

Q. Did you intend in any way to raise a fund with which to corrupt these members or any of them?

A. To corrupt them?

Q. Yes.

A. No, sir.

Q. Did you believe that any of those members or others of this honorable body were corruptible?

A. No, sir.

Q. Had you ever approached in any manner any member of this House with a proposition tending in any way to corrupt him?

A. No, sir.

Q. Or to ascertain if he could be corrupted?

A. No, sir.

Q. I presume without a doubt that no one has ever approached you?

A. Never.

Q. It appears in evidence that ordinarily you are a temperate man. Is this true?

A. I am not a drinking man.

Q. How was it on that morning that these Saginaw friends came down, had you drank any?

A. I think I had drank twice before they came.

Q. That is, before you met Mr. Crowley?

A. Yes, before I met Crowley or Eaton.

Q. And then, before going into the Windsor, you drank, as I understand,

from Mr. Crowley—once with him?

A. Yes, sir.

Q. And then you drank with Eaton in the Windsor at the time he urged you to put down the figures, and that was the fourth drink you had had that morning?

A. Yes, sir.

Q. Was that a usual or unusual occurrence for you?

A. Very unusual. I might tell that the first drink I took was down here in a drug store where Mr. Fellows and I went. We both took quinine.

Q. Quinine and whiskey?

A. Yes, sir.

Q. That is a remedy in our vicinity for ague and biliousness?

A. Yes, sir.

Q. What time a-day was that as near as you can remember?

A. I should say it was about 8 o'clock.

Q. And that was taken by you for medicinal purposes?

A. Yes, sir.

Q. You are not accustomed to drink whiskey?

A. No, sir, I never touch it.

Q. When you do drink what are you in the habit of drinking?

A. Once in a great while I take a glass of beer, and most of the time I drink ginger ale or pop, and once in a great while I drink what they call here sour wine.

Q. When you took the second drink that morning what did you take?

A. I think I took a glass of beer.

Q. And the third drink was taken with Mr. Crowley?

A. Yes, sir.

Q. What did you drink then?

A. Sour wine.

Q. There were three drinks that were not of a kind?

A. No, sir.

Q. And the fourth drink appears in evidence to have been sour wine?

A. Yes, sir.

Q. And the fourth drink was about what time of day?

A. I should say it was about half past eleven.

Q. Four drinks in two hours and a half, which you say was unusual. Coming back to the time when Eaton urged you to check the names of the members and put down figures opposite, you may give me in detail, so well as you can the number now, what was said between you four gentlemen there in the stall at that time?

A. Mr. Eaton says: "Mr. Dakin," he says, "You think you can use this money amongst the members of the House?" I says, "In a sociable way, yes." And I says, "I don't want the money. You give the money to Mr. Fellows, and Mr. Fellows being with me and will be with me, if there is any expenses made Mr. Fellows will pay for it, and then I will be left out."

Q. What else?

A. Mr. Eaton was looking down the roll call, he says "Here is one man, Mr. Rumsey, you have got \$25." Mr. Crowley speaks up in a laughing way, he says "Oh, yes, I know Mr. Rumsey, he is a pretty good man." That is all there was said upon that question. That is about all that occurred in there in regard to these matters, that is, that is all that I can think of just now.

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Q. What else?

A. Mr. Eaton was looking down the roll call, he says "Here is one man, Mr. Rumsey, you have got \$25." Mr. Crowley speaks up in a laughing way, he says "Oh, yes, I know Mr. Rumsey, he is a pretty good man." That is all there was said upon that question. That is about all that occurred in there in regard to these matters, that is, that is all that I can think of just now.

Q. After Eaton had got you to put down these figures what did he do with the roll call and the figures?

A. I picked up the roll call and put it in my pocket and we got up to leave. Mr. Crowley, I think, went out ahead and Mr. Fellows next and I was next and Mr. Eaton last. He kind of looked around on the table and he says, "Where is that roll call?" I says, "I have got it in my pocket." He says, "Let me take it." So I handed it over to him and he put it in his pocket. "Now," he says, "We will see about this money affair and fix it up."

Q. You seemed to be doing about whatever he said that morning?

A. Pretty much.

Q. After he talked with you in this way and made the suggestions that he did will you tell us in what way you expected the money would be expended?

A. About that time I think there was something said about dinner and we got up and went out and Mr. Crowley and Mr. Eaton went one way and Mr. Fellows and I went down to the Eichle House.

Q. That is where you board?

A. Yes, sir.

Q. And did board two years ago?

A. Yes, sir.

Q. Go on.

A. We went in there and went towards the back end of the hall and Mr. Fellows says: "Dakin, what is the matter with you? I says, "Nothing I guess." He says, "You act to me as though you were either crazy or drunk." I says, "I don't think I am either." I says, "Why?" He says, "Don't you know you should not have given that roll call to Mr. Eaton?" I says "Why?" He says, "It was not the proper thing to do. You know that Eaton don't like you and he will have it against you." I says, "I ain't afraid of that," I says, "I don't think there is any danger upon that ground." Then we went down to dinner, came up from dinner and sat down, and Mr. Fellows says, "Now, Dakin," he says, "If we get this money—" in the first place I have answered your questions, but I could tell other things that come in connection with this. If you wish, I could explain it.

Q. The House are anxious to hear it, and I don't wish you to keep back anything, but let them know it all.

A. The first time we met Mr. Eaton here on the corner Mr. Eaton says, "Mr. Shackleton didn't bring you any money—didn't bring up any money with him." Mr. Fellows says "No." Mr. Eaton then turned to me and says, "Dakin, do you think you can use some money here?" I says, "Yes, certainly, in a social way." He says, "Mr. Crowley"—we hadn't seen Mr. Crowley then—he says, "Mr. Crowley and Mr. Little is here and I have got some money of my own, and Mr. Crowley and Mr. Little is here and I will go and see them and see what we can do." So, going back to the time that we came up from dinner, Mr. Fellows says, "Dakin, what kind of a scheme

Q. Was it your intention to corrupt or attempt to corrupt any of the honorable members of this House?

A. No, sir.

Q. Did you think they could be corrupted by any such sums, or any other sums on earth?

A. No, I think they are higher priced than that.

Q. Do you mean by that to insinuate that they are persons of any price at all?

A. No, sir.

Q. You never have believed that?

A. No, sir.

Q. Did you think there would be any harm in having a little banquet at the Eichele House?

A. If I had I should not have seconded the proposition of Mr. Fellows.

Q. Why did you think there would be no harm?

A. I thought there would be no harm because the same thing had been done in Lansing this winter before as I have understood it.

Q. Where? At Eichele's?

A. No, sir, at the Lansing or some of the hotels here. I believe Mr. Hubbell had an entertainment down here.

Q. And you wanted to have the same sort of an entertainment on a smaller scale?

A. On a little smaller scale, yes.

Q. And you meant no more harm by it than Senator Hubble did.

A. No, I didn't intend any harm.

Q. Doubtless the Hon. Senator did not?

A. No, sir.

Q. Before this had you seen some of these placards about?

A. Of what?

Q. Before this had you seen some of these placards in the committee rooms of which we have heard something on this investigation?

A. I think I saw one up in the room where the committee on municipal corporations meets.

Q. The one that has been testified to by Mr. Bates?

A. I think it is the one.

Q. Do you know of any other reason than because Eaton urged you to put down those figures why you put them down?

A. No, sir. When I wrote the figures I shoved the list back to him, and he said, "This will go no further."

Q. What other reason or motive prompted you to make the figures that you did make, other than Eaton himself by his solicitation and urging?

A. No other reason.

Q. State whether at that time you intended that those gentlemen present should understand that any of those gentlemen, in your judgment, could be influenced or corrupted in the least by the use of money?

A. I said they could not.

Q. I think it appears in Mr. Eaton's statement or letter to the Honorable Speaker of this House that you said, in conversation with him at the time, that the money would not be used in any way to corrupt members. Was that statement in effect made by you?

A. Yes, sir.

Q. Then Eaton was correct in that you think ?

A. Yes, sir.

Q. When did you first begin to realize that you possibly had done wrong in making the figures ?

A. When Mr. Fellows spoke to me about it.

Q. What did you do then ?

A. I thought about it a great deal then, and after we came up from dinner and had sat down a few minutes we went out on the street and took a walk around the street, I think probably went a block or two blocks, I forget exactly, and then we met Mr. Tillotson, on the same corner or opposite corner from where we met Mr. Eaton and Mr. Crowley, and about the first thing I said to Mr. Tillotson was to explain to him what I had done in regard to the roll call. He said "Dakin, you have done wrong, you know that Mr. Eaton is not your friend and he will use it against you." I said "Mr. Tillotson, will you go and see Mr. Eaton and ask him to see the roll call, and if you get it put it in your pocket?" He said "I don't know where he is." I said "He is probably at the Hudson House;" so he said "I will do so," and he turned and went up towards the Hudson house.

Q. If I remember rightly Mr. Tillotson, in giving his version of the matter stated at the time he met you there, he invited you to take a drink with him and you declined to drink.

A. Yes, sir.

Q. That was the first time you had seen Tillotson that day ?

A. I think that was the first time.

Q. Do you remember the circumstance of his asking you to indulge ?

A. I don't remember that.

Q. In any event you did not take a drink with Tillotson at the time ?

A. Not that I remember of.

Q. He said he would get the roll-call if he could, and left and went in the direction in which you told him he could probably find Eaton ?

A. Yes, sir. He said, "If I get hold of it I will keep it."

Q. You regarded Tillotson as your friend at the time ?

A. I did, or I would not have said what I did.

Q. As soon as you met him you expressed your alarm at what Eaton had done in the matter ?

A. Yes, sir.

Q. Do you remember any further conversation later in the day with either Crowley, Tillotson, or Eaton in regard to it ?

A. I don't remember now that I do.

Q. When was your attention next called to the transaction ?

A. When Speaker Markey came to my seat and asked me to see him in his room.

Q. Did he tell you why he wished to see you there ?

A. No, sir.

Q. Did you accompany him ?

A. I did.

Q. Was the House at that time in session ?

A. Yes, sir.

Q. Transacting the ordinary business of the body ?

A. Yes, sir.

Q. When you arrived in the Speaker's room, you found these several gentlemen present whose names had been checked ?

A. Yes, sir.

Q. And who else?

A. Mr. Eaton and Mr. Markey.

Q. You were interrogated there in regard to it?

A. Yes, sir.

Q. And did you have any hesitation in telling those gentlemen your version of it?

A. I don't think I had.

Q. You made the statement that has been given in evidence here as having been signed by you?

A. As far as I can remember, yes.

Q. Do you remember what persons interrogated you there, the answers to which interrogations were taken down in narrative form and signed?

A. I think Mr. Herrington and Mr. Diekema and Mr. Markey and Mr. Manly I believe, Mr. O'Keefe I think, and Mr. Eaton.

Q. Give us your judgment as to the length of time you were in the room with those gentlemen at that time.

A. I have no idea.

Q. So far as the statement goes is it substantially correct, with the one exception which you have mentioned, wherein it seems to appear in the statement that you did not meet Mr. Eaton in the lower corridor in the morning. Of course it is not full and in detail, but such as does appear is it substantially correct, with that one exception?

A. As near as I can remember, it is.

Q. Was there anything in connection with the transaction which at that time you sought to keep back or evade?

A. No, sir; not that I remember of.

Q. Was there anything in the transaction from the first to the present time that you have wished or in any way sought to withhold from any member of this House?

A. No, sir.

Q. Did you at any time solicit money from Eaton?

A. No, sir.

Q. Did you at any time solicit money from Shackleton?

A. No, sir.

Q. It is a fact, is it, that he handed you a two-dollar bill?

A. Yes, sir.

Q. At the time stated by himself?

A. Yes, sir; substantially the same.

Q. Tell us in your own way just as it was, when and where, what was said as near as you can remember and all about it.

A. On Tuesday morning we were going to the train. Mr. Fellows and I accompanied Mr. Shackleton to the train. On the way there he handed something to Mr. Fellows. Mr. Fellows took it and put it in his pocket. I do not know what it was—the amount. He says, "Mr. Fellows, here is some money." What the amount was I do not know. Mr. Fellows took it and put it in his pocket, and he says, "Here Dakin, here is two dollars," and I took it, not thinking what he meant by it. I said, "What is this for?" He said, "That is something to buy cigars with." "I said "I do not smoke," and I handed it back to him. He said, "Keep it and put it in your pocket and buy some beer with it." I said, "I do not drink beer." He said, "Keep it

anyway." He would not take it back, and I was not going to throw it upon the ground.

Q. Did you suppose at the time that the mayor intended in any way to corrupt you with that two dollars ?

A. No, sir.

Q. What did you do with it ?

A. I put it in my pocket.

Q. Have you got it yet or have you spent it ?

A. I've got it.

Q. Let us see it.

Witness produces the bill and handed it to counsel.

Q. This is the same bill, is it ?

A. The identical bill.

Q. A two-dollar United States Treasury note or greenback ?

A. Yes, sir.

Mr. Holden.—I do not propose to offer this in evidence and have it marked as an exhibit and file it with the clerk.

Mr. Conductor Herrington.—You might hand it back to Mayor Shakelton.

Mr. Dakin—He gave it to me.

Q. At the time he handed you the two dollars was there any disagreement between you and the mayor in regard to the bill?

A. No, sir.

Q. You coincided in regard to it?

A. Yes, sir.

Q. Then it was not necessary in any way, either by the use of two dollars or other money, or by argument or otherwise to convert you to his views concerning the bill?

A. No, sir, because I had a hand in fixing up the matter as they were.

Q. And you and the mayor were entirely agreed to it?

A. Yes, sir.

Q. State whether you believed that the honorable gentleman who had opposed it heretofore was agreeable to the form of the bill as you and the mayor understood it should be?

A. As far as I know, yes.

Q. So that the opposition of Mr. Linton you believed to be at an end?

A. Yes, sir.

Q. There is a considerable volume of the statements of Mr. Eaton to this House, and I desire to make reference in interrogating you to the record or his evidence, first asking you if you have now stated substantially as fully as you can remember at this time, your conversations with Mr. Eaton upon the points in interest in this matter?

A. Yes, sir.

Q. Coming now to the time when you met Mr. Smith and Mr. Eaton in the lower corridor of this building, did you state to Eaton in substance of effect that you expected Mr. Shackleton to come down here and bring some money to put the bill through the House?

A. Not put the bill through the House, but in the interest of the charter.

Q. You said nothing about the use of money in putting the bill through the House ?

A. No, sir.

Q. Did he ask you what you wanted of money, or whether there were any expenses to pay ?

A. I don't remember whether he did or not.

Q. Did you say anything to him in regard to asking if there were any expenses to pay, "yes, you know what I mean, we have got to have money to put this through with?"

A. I did not say any such thing.

Q. And did he ask you if you meant to say that you had got to use money with the committee?

A. No, sir, I never heard the word about the committee.

Q. And did you tell him "No, that you thought the committees were all right but we have got to use some money among the members?"

A. I never heard of that until I heard it from him.

Q. And did he ask you in substance "Do you think that the passage of measures can be promoted among the members of this House by the use of money," and did you say to him "Of course it can?"

A. I don't think I said any such thing.

Q. Was there any conversation of like import there between you and him?

A. No, sir.

Q. Did you think that money could be used?

A. No, sir.

Q. And afterwards did he ask you "I would like to have you tell me, Mr. Dakin, definitely, what you regard it necessary to do in regard to our bill?" and did you answer, "As I told you before we never can get that bill through the House unless we have some money to do it with?"

A. I never heard of that.

Q. No such talk as that at all with Mr. Eaton at any time?

A. No, sir.

Q. Did he ask you in case you got a favorable report from the committee if there was any doubt but that the report would be adopted by the House, and did you answer to him in substance, "There is no doubt of it if I can have what I need to do it with?"

A. Part of that was said, what he said about the report of the committee is correct, but what I said about having something to do it with is not so.

Q. What did you say in answer to him?

A. I think I said there is no doubt but what we can get the bill through if it is reported favorable from the committee.

Q. Did he ask you how much in your judgment would be needed to get the bill through?

A. No, sir.

Q. Did you tell him that you had been out with some members of the Legislature the night before and spent considerable money and that you had got four of them solid?

A. No, sir.

Q. Had you been out with them?

A. No, sir.

Q. And had not got anyone solid?

A. No, sir.

Q. Nor had you attempted to, by the use of money in any way?

A. No, sir.

Q. And did not tell him so at all?

A. No, sir.

Q. Did you reply to any question of Mr. Eaton's or say to him, whether questions or otherwise, that you could not tell how much money you were

going to need until you began to work and had made a further canvass in the matter?

A. No, sir.

Q. Did you say anything of like kind or import?

A. Not that I know of, sir.

Q. Do you think you would have known?

A. I think so, yes, sir.

Q. Did you tell him that Mayor Shackleton had promised to telegraph down any money?

Q. Yes, sir.

A. What did you say to him upon that subject?

A. I told him Mr. Shackleton had gone home to fix up the matter betwixt Mr. Linton and ourselves if possible and to get some money or send some money.

Q. Send some money for what?

A. For expenses.

Q. Whose expenses?

A. Mr. Fellows'.

Q. In what way?

A. For general expenses. That is the idea I had of the expenses.

Q. Not in any corrupting sense?

A. No, sir.

Q. Did you state to him in substance or effect that if you should go out with a man and talk with him and make him any promise and then not have the money, you would lose his influence and he would go back on you?

A. No, sir, I never thought of such a thing; never said any such thing.

Q. Nothing on the subject at all?

A. Nothing, sir.

Q. Did he ask you in connection with the talk that you have referred to or any other talk in substance "whether this is a prudent thing, to be talking about the use of money in this way?"

A. No, sir, I did not hear any such thing.

Q. And did you in reference to anything of the kind say, "You don't need to be known in the matter at all. You furnish the money to me, or if you don't want to trust me, you can give it to Fellows, and I will attend to the rest of it?"

A. I told him to give the money to Fellows. That is all I said about that.

Q. Did you tell them that they would not be known in the matter?

A. No, sir.

Q. Nothing on that subject?

A. No, sir.

Q. Did he ask you what you proposed to do with it or how you proposed to use it, and did you say that you were pretty well acquainted with a good many here, and that there is a large number (about 34) of Grand Army men here?

A. No, sir, I did not say any such thing, because I never knew there was that amount here.

Q. May I ask what number, so far as you know, of this body are Grand Army men?

A. I don't know. I don't think there are over 15 or 20 any way.

Q. Did you tell him in substance or effect that you were going to see any of those and send them to Fellows?

A. No, sir, never.

Q. And did he ask you if it was customary when a bill is pending here to see members in this way?

A. No, sir.

Q. And did you tell him that of course it was customary to see members in this way or to use money with them?

A. No, sir.

Q. There may be some other things that I have passed by; but since I have been calling your attention particularly to the statements made by Mr. Eaton against you in this matter, do you now recall any other conversation or part of conversation, previous to this you had not recalled?

A. I don't think of any now.

Q. By what you did in this matter did you intend in any way to bring the good name of any member of this House into disrepute?

A. No, sir.

Q. Did you intend in any way to cast reflection upon their integrity?

A. No, sir.

Q. Or to insinuate that these men could be purchased or corrupted at all?

A. No, sir.

Q. Did you intend at that time, or at any time since, or before, to raise this money and convert it to your own use and benefit?

A. No, sir.

Q. The suggestion, as I understand it, of raising the fund came from Mr. Eaton. Am I right?

A. Yes, sir; the second time we saw him.

Q. And did not originate with yourself?

A. No, sir.

Q. Now, aside from this \$2 which you just exhibited here, have you received any money whatever from any person?

A. No person, sir.

Q. Have you ever during your legislative career?

A. No, sir.

Q. Either this present session or in the former House?

A. No, sir.

Q. Have you ever used or attempted to use any money whatever among your associates?

A. No, sir.

Q. Have you ever intimated or in any way intended to lead any person to believe that any member of this House was corrupt or corruptible?

A. No, sir.

Q. Have you ever before been accused of any dishonorable or disreputable act?

A. Yes, sir, one.

Q. What was that?

A. I whipped a man once and he said it was dishonorable.

Q. That was all?

A. That was all.

Q. How long ago was that?

A. Oh, about 12 or 13 years ago.

Mr. Holden—Well, don't do it again. Take the witness.

The Speaker—Mr. Green, of Bay, sends up the following question: Did Mr. Eaton say to you that Saginaw City could well afford to spend some

money to have Florence attached to the city as we would soon have ten times as much back in taxes?

A. There was something of that import the second time that I saw him—the time that he wanted to know if I did not want some money to use to get the charter through.

The Speaker.—Mr. McGregor sends the following question: Did I ever in the city of Lansing or elsewhere drink or smoke with you at your expense?

A. No, sir.

The Speaker.—Also the following: Did you ever, here or elsewhere, hold any conversation with Mr. McGregor in relation to the Saginaw City charter or any other bill pending before this Legislature?

A. I think not.

Q. Did you ever see anything in his conduct or action, either in the House or out of it, to warrant you in the supposition that he could be influenced in his vote or otherwise by the use of money?

A. No, sir.

Mr. Holden.—Counsel calls attention to one fact which a member thought in the shape it came was perhaps a reflection upon himself, and I at the time in your behalf you remember filed a disclaimer. It appears in your statement something concerning the fact that you once drank with Representative O'Keefe. What was there in regard to that?

A. I think Mr. O'Keefe, if I remember right, as nearly as I can remember asked me into I think it was the Windsor restaurant. He asked me in, and whether he took a drink or smoked I don't remember now. I did think that he drank, but I am not sure; just as liable he took a smoke, as far as I can remember; but I took a drink myself.

Q. As I have it here in your statement it appears that you drank with him. I do not understand that as meaning that he drank with you?

A. No, sir.

Q. But socially, in a friendly way?

A. Yes, sir; I drank with him.

Q. You drank, but whether he drank or smoked you don't know.

A. No, sir; I don't know.

th Q. Do you remember whether you have ever drank or smoked with any of the other members on this list, or otherwise.

A. Yes, sir; I have.

Q. Do you remember if any of them were on the list.

A. I don't think they are on the list.

Q. Do you understand that Representative Rumsey here is a man who smokes or drinks?

A. I don't think he is. I don't know that he is.

Mr. Holden. I think that is all with the witness. Nothing further occurs to me now.

CROSS-EXAMINATION OF MILO H. DAKIN.

By Mr. Conductor Herrington,

Q. At the request of some of the members whose names are on this slip I will question you further in the line which has just been pursued. Did you ever have any talk with Mr. Seward Baker about this Saginaw charter bill?

A. I don't know whether I did about the amended Saginaw city charter bill or not. I know I have talked with him a number of times this winter—that is I think I have—in regard to the charter.

Q. How intimate are you with Mr. Baker? Have you ever been out with him?

A. No, sir.

Q. Ever treated him or he treated you?

A. I think not.

Q. Ever had any confidential talks with him?

A. Well, only socially, I think right here in the hall.

Q. When other members were present?

A. Some of the members, yes, sir.

Q. How intimate are you with Mr. Baldwin?

A. Well, I am not intimate.

Q. You never have had any conversation with him at all upon any subject have you, more than to say, "How do you do?"

A. I think I spoke to Mr. Baldwin, I am not sure, in regard to our charter.

Q. When?

A. The first charter that I put through. I think I spoke to him. I am not sure.

Q. Have you ever been out with Mr. Baldwin?

A. No, sir.

Q. Have you ever been intimate in any way?

A. No, sir.

Q. In fact you regarded him as somewhat of a stranger did you not only as you have served in the same House with him?

A. O, I have played cards with him a little and had a little social time with him.

Q. With Mr. Baldwin?

A. Yes, sir.

Q. Did you ever treat Mr. Baldwin or he ever treat you?

A. No, sir.

Q. How intimate are you with Mr. Bentley?

A. I am not intimate with him.

Q. Have you ever played cards with Mr. Bentley?

A. No, sir.

Q. Have you drank with him?

A. No, sir.

Q. Does he drink?

A. I don't know.

Q. Is it not your understanding that he does not drink?

A. I don't know anything about it.

Q. Do you know whether he smokes or not?

A. No, sir.

Q. Have you ever been out with him at all?

A. No, sir.

Q. Ever played cards with him?

A. No, sir.

Q. Ever had anything to do with him?

A. No, sir.

Q. You have the highest regard for Mr. Bentley have you not?

A. I have for all of them.

Q. Have you ever been out with Mr. Burr?

A. No, sir.

Q. Are you at all intimate with him?

A. No, sir.

Q. Have you had any conversation with him upon any subject that you now recall?

A. No.

Q. Ever played cards with him?

A. No, sir.

Q. With Mr. Crocker?

A. No, sir.

Q. You are not at all intimate with Mr. Crocker?

A. No, sir.

Q. Never have talked with him outside of this hall?

A. No, sir.

Q. When other members were present?

A. I don't think I have.

Q. Mr. Diekema?

A. No, sir.

Q. Are you at all intimate with Mr. Diekema?

A. No, sir.

Q. Never have had any talk with him upon any subject, have you?

A. Yes, sir.

Q. This session?

A. Yes, sir.

Q. Have you ever had any talk with him about this bill?

A. I think not.

Q. How much talk have you had with Mr. Diekema this session?

A. O, I went over to his seat three or four times and asked him about a bill of mine that he had.

Q. When the House was in session?

A. Yes, sir.

Q. Outside of that you never have talked to him this session?

A. Not that I remember of.

Q. Mr. Dunbar—how is it with him?

A. Well, I understood I was quite friendly with Mr. Dunbar. I don't know what he thought about it.

Q. Have you ever drank with him?

A. No, sir.

Q. Smoked with him?

A. No, sir.

Q. Played cards with him?

A. No, sir.

Q. Ever been out with him?

A. No, sir.

Q. Ever had any confidential talks with him?

A. Not that I remember.

Q. Mr. Engleman, have you ever been out with him?

A. No, sir.

Q. Ever drink with him?

A. I think I have.

Q. Ever played cards with him?

A. No, sir.

Q. Did you not state in your confession that you never had drank with any of the members except Mr. O'Keefe?

A. That is all I could think of probably at that time?

Q. Are you at all intimate with Mr. Engleman?

A. No, sir.

Q. Ever had any talk with him upon any subject outside of this hall?

A. Not that I remember of.

Q. Mr. Herrington?

A. No, sir.

Q. Never have had any conversation with him at all upon any subject have you?

A. Well, not confidentially that I know of.

Q. Have you had any conversation with Mr. Herrington upon any subject whatever?

A. I think I have met you in a cluster here in the House, telling stories and so forth, and so forth and so on. That is all.

Q. Outside of this House, then, you never have had any conversation with Mr. Herrington whatever?

A. No, sir.

Q. And not in the House except when a crowd was around?

A. That is all I believe.

A member.—Ask him if he ever drank with Mr. Herrington?

Q. I will treat everybody alike in this matter. Did you ever drink with Mr. Herrington?

A. No, sir.

Q. Ever smoke with him?

A. No, sir.

Q. Ever play cards with him?

A. No, sir.

Q. Ever been out with him?

A. No, sir.

Q. Have you ever had any talk with Mr. Manly on any subject?

A. I think not.

Q. Did you ever drink with him or smoke with him?

A. No, sir.

Q. Have you ever been out with him?

A. No, sir.

Q. Never played cards with him?

A. No, sir, I think not. I think I have not played cards with him, I am not sure—yes, I have.

Q. Where?

A. I think I played cards with Mr. Manly when we were going to Grand Rapids to the encampment.

Q. That was on the train?

A. Yes, sir.

Q. Never had any talk with him about this charter bill?

A. No, sir.

Q. Mr. McCormick?

A. No.

The Speaker: Mr. McCormick has had these same questions put to the witness and he has answered them.

Q. Mr. O'Keefe—you have stated in regard to him. Mr. Perkins, have you ever had any talk with him on any subject whatever outside of this hall?

A. I think not.

- Q. Have you had any private talk with him in this hall?
A. I think not.
- Q. Never played cards with him?
A. No, sir.
- Q. Have you ever drank or smoked with him?
A. No, sir.
- Q. With Mr. Rumsey?
A. No, sir.
- Q. Never have had any talk with him upon any subject, have you, whatever, outside of this hall?
A. Well, I said no. I think I did two years ago.
- Q. I mean this session?
A. No, I think not.
- Q. Did you ever smoke with Mr. Rumsey?
A. I think Mr. Rumsey and I rode down on the train to Leslie together. I think I sat in the same seat with him and we talked all the way down.
- Q. When?
A. Two years ago.
- Q. I am asking about this session.
A. No, nothing this session.
- Q. Have you ever smoked or drank or played cards with him?
A. No, sir.
- Q. Mr. T. H. Williams—are you at all intimate with him?
A. No, sir.
- Q. Ever had any talk with him outside of this hall?
A. Well, yes, I have talked with him outside of this hall.
- Q. You are not at all intimate with him, are you?
A. No, sir.
- Q. Have you ever drank, smoked or played cards with him?
A. I have played cards with him.
- Q. Ever drank or smoked with him?
A. No, sir.
- Q. Where did you play cards with him?
A. On the train going from Jackson to Grand Rapids.
- Q. Is it not a fact that there are other members of this House with whom you are much more intimate than these fifteen just named?
A. I don't think so. I don't know of but one or two in this whole House that I am intimate with. I don't think there are more than one or two in this whole House that I am intimate with.
- Q. Mr. Baldwin desires me to ask you when and where you ever played cards with him.
A. Going from here to Saginaw.
- Q. On the train?
A. Yes, sir.
- Q. Are you sure you ever had any talk with him concerning the charter or anything else except to say how do you do, and to pass the time of day?
A. As I said before, I thought I had but I was not sure.
- Q. Is it not a fact that there are other members in this House with whom you are better acquainted than with these fifteen just named?
Mr. Dodge—The witness has already answered that question now.
Mr. Conductor Herrington—I ask to have him answer the question.
The Speaker—Answer the question.

Q. I ask you if there are not a good many other members of this House with whom you are better acquainted than with the fifteen mentioned.

A. No, sir. You say a "good many."

Q. Are you not better acquainted with Mr. Linton?

A. No, sir; I am not better acquainted with Mr. Linton, that I know of, than I be with Mr. Rumsey.

Q. Are you not better acquainted with Mr. Snow?

A. Yes, sir, I think probably I am somewhat.

Q. Are you not better acquainted with Mr. McGregor?

A. Yes, sir.

Q. Are you not better acquainted with those men who sit around you here in the House than with those fifteen?

A. Well, there might be one or two.

Q. None of those fifteen sit close to you in the House, do they?

A. No, sir.

Q. None of those fifteen board where you do, do they?

A. No, sir.

Q. There are quite a number of members sitting within a radius of ten feet of you are there not, in this House?

A. Yes, sir, there are some.

Q. There are some members who board down at the Eichele House where you board, are there not?

A. Not sitting within ten feet of me.

Q. Some members of this House board at the Eichele House?

A. Yes, sir, there are a couple.

Q. You are better acquainted with those members than you are with any of the fifteen. are you not?

A. I am with one of them.

Q. Are you not with both of them? Neither of those two men who board at the Eichele House are on this list?

A. No.

Q. Don't you meet them at meals and walk up and down with them?

A. Yes, sir.

Q. Are you not better acquainted with some of the Grand Army men whose names are not on this list than with persons whose names are on this list? You are a Grand Army man, are you not?

A. Yes, sir.

Q. Have meetings here?

A. Yes, sir.

Q. Been thrown in contact with them in that way?

A. I do not think I have attended but one of their meetings.

Q. You are also a knight of labor are you not?

Mr. Holden—He has testified he is.

Q. You are a knight of labor are you not?

A. I am happy to say I am.

Q. I did not consider it was anything disgraceful or I would not have asked you. You are better acquainted with some knights of labor whose names are not on this list than with the members whose names are on the list?

A. Perhaps three or four.

Q. Are you not with half a dozen?

A. Might be half a dozen.

Q. You have met here frequently have you not?

A. Not that I know of.

Q. Have you never been present at meetings of Knights of Labor here in this House?

A. Yes, sir.

Q. I wish to ask you why you put \$25 opposite Mr. Rumsey's name?

A. I have no particular idea.

Q. Did you state "There is a man that will have to have \$25?"

A. No, sir.

Q. Did Mr. Crowley say "What, Rumsey for \$25?"

A. I think he did say that.

Q. Did you make any reply to it?

A. No, sir.

Q. You can make no explanation of why you put \$25 opposite Mr. Rumsey's name?

A. No, sir; no particular explanation.

Q. Can you make any explanation of why you put \$5 opposite Mr. McCormick's name?

A. No, sir.

Q. Can you make any explanation of why you put \$10 opposite Mr. Diekema's name?

A. No, sir.

Q. Or the amounts opposite the names of any of the other members?

A. No, sir.

Q. No explanation whatever?

A. No, sir.

Q. It has been suggested that I ask you this question: "When you mentioned playing cards, you meant playing cards socially, and not for money?"

A. That is what I meant.

Q. Did you have a conversation with the mayor at your house, in Saginaw, about the 16th or 17th of this month?

A. Yes, sir, Sunday.

Q. Did the mayor state to you at that time that it would be necessary to bring some money down to get the charter through, but that he did not have any himself?

A. He said it would be necessary to bring down some money to pay the expense.

Q. Are you sure that he said to pay the expenses?

A. That is the way I understood it.

Q. I did not ask you if that is how you understood it. I asked you if that is what he said.

A. That is the way I understood it.

Q. Is that the way you understand he said it; is that what you mean?

A. Yes, sir.

Q. Were you present when he had a talk with Mr. Binder?

A. No, sir.

Q. You had a talk with Mr. Eaton on the first floor of this building?

A. Yes sir.

Q. You heard Mr. Fellows testimony?

A. I heard part of it.

Q. Mr. Fellows testified as follows: "As I met them we shook hands and Mr. Eaton asked how things looked in regard —"

The Speaker—The following question has been sent by Mr. S. Baker:

Q. Is it not a fact that the witness never said anything to him about the charter only as some motion was pending before the House, or while the bill was under consideration, or as the House was about to convene when the bill would be taken up?

A. I think Mr. Baker wanted to know where the trouble was betwixt me and the lobby that came down in opposition to me, and I explained it to him.

Q. Did you ever talk with Mr. Baker about the bill outside of the capitol?

A. I don't think I ever did.

The Speaker—The following question is asked: Are there any knights of labor on the list checked, and if so, how many?

A. I do not call to mind now that there are any. Yes, I think there are two.

Mr. Conductor Herrington—Mr. Williams and Mr. Manley?

A. Yes, I think so. I don't know.

By Mr. Conductor Herrington—Q. I was reading to you when interrupted from Mr. Fellows' testimony, "As I met them we shook hands, and Mr. Eaton asked how things looked with regard to the charter. I said they looked first rate, and he said what did Shackleton go back to Saginaw for?" Did that occur down on the first floor in your presence?

A. I think I heard something of that import.

Q. This is also Fellows' testimony: "And Mr. Dakin spoke and said he went back with Linton to fix his matter of Florence between East Saginaw and Saginaw City and to bring back some money to give him for Fellows' expenses?"

A. Yes, sir.

Q. You said that?

A. I think I did.

Q. "And Mr. Eaton asked him if he thought any money could be used with the members in the interest of the charter,"—did Mr. Eaton ask that of you?

A. I don't remember.

Q. And did you reply in the language of Mr. Fellows, "Mr. Dakin says of course he could in a social way?"

A. I might have said that. Read that again.

Q. "Mr. Dakin says of course he could in a social way."

A. I might have said that. I don't know.

Q. If you did say that that was the first talk about money, was it not?

A. The first talk I had about money was at my house.

Q. If you did say it to Mr. Eaton, that was the first talk you ever had with him about money?

A. Yes, sir.

Q. And if you did say that then, you first broached the subject of money to Mr. Eaton, did you not?

A. I never broached the subject of money to Mr. Eaton.

Q. If you said that you did, did you not?

A. That was the only time there was anything said about money, at that time.

Q. Then you first spoke of the subject of money, did you not?

A. Under that head, yes.

Q. And after Mr. Eaton asked you if you thought money could be used with the members in the interest of the charter, you replied "Of course it could, in a social way?"

- A. No, I don't recollect that and I don't think it.
- Q. What did you do Monday after you reached here?
- A. I came up to the hall I think.
- Q. Did you attend the session of the House that afternoon?
- A. Yes, sir.
- Q. Did Mr. Fellows say in the presence of yourself and the mayor on Monday evening that money could be used to good advantage here?
- A. No, sir. On Monday evening?
- Q. Yes.
- A. Here?
- Q. Yes.
- A. No, sir.
- Q. Anywhere in Lansing?
- A. No, sir.
- Q. On your going to the train with the mayor on Tuesday morning did you ask the mayor for that two dollars?
- A. No, sir.
- Q. Didn't you know you were doing wrong when you kept it?
- A. No, sir; if I did I should not have kept it.
- Q. What did you keep it for? What right did you think you had to keep that two dollars?
- A. I had just as much right to keep it as I would to throw it down on the ground.
- Q. Mr. Shackelton didn't owe you two dollars?
- A. No, sir; and when I took it in my hands I didn't know what he wanted.
- Q. When he said to take it and buy beer with it did you take it for that purpose?
- A. No, sir; because I didn't buy beer with it.
- Q. Why did you keep that two dollar bill?
- Mr. Dodge—I object to that cross-examination. It is improper in the first place, and in the next place the witness has fully explained everything with regard to the two dollars. He says after he refused it two or three times he finally took it rather than to let it go on the ground, and put it in his pocket, and he now produces it here and says it is the same identical two dollar bill. I think it is improper under the testimony.
- The Speaker—Answer the question if you can.
- Q. I asked you why you preserved that two dollar bill?
- A. Because I didn't want to throw it away.
- Q. You kept it in your pocket?
- A. Because I didn't want to throw it away.
- Q. And that is the only reason why you kept it and produced it here today?
- A. That is the only reason.
- Q. You say you were going to have a feast down at the Eichele house?
- A. No, I didn't say that.
- Q. What did you say?
- A. I said it was our intention.
- Q. It was your intention to have a feast down at the Eichele House?
- A. Yes, providing—
- Q. You got the money?
- A. Providing we got the money and providing we got the house, which I was sure of.

Q. You intended to clean out the dining room and have a dance?

A. Yes. I knew it could be procured for the purpose.

Q. Did you intend to invite ladies to this dance, the members and their wives?

A. Yes, sir.

Q. Did you intend to invite Mr. Bentley and his wife to the dance?

A. I intended to invite all those that had wives.

Q. Then you intended to invite Mr. Bentley and his wife, Mr. Burr and his wife, Mr. Deikema and his wife, Mr. Dunbar and his wife, Mr. Engleman and his wife, Mr. Herrington and his wife, Mr. Manley and his wife, Mr. McCormick and his wife, Mr. O'Keefe and his wife, Mr. Rumsey and his wife, Mr. Williams and his wife?

A. Yes, sir.

Q. Mr. Crocker and girl and Mr. Baker and girl?

A. I don't know anything about the girls.

Q. You did intend to invite these members and their wives down to a dance at the Eichel house?

A. Yes, sir.

Q. How many of these fifteen whom I have named did you know were in the habit of dancing?

A. I didn't know that there was one of them.

Q. Did you intend to invite any others than these fifteen down to the Eichele House to dance?

A. Yes, sir.

Q. Who else?

A. Well, not a great many more, because there wouldn't be room.

Q. About how many others?

A. That I didn't know.

Q. Had you ever met any of the wives of these gentlemen?

A. No sir.

Q. That is sort of a saloon and restaurant down there, isn't it?

A. Something of that kind.

Q. They keep a bar there?

A. Yes, sir.

Q. And sell liquor?

A. Yes, sir.

Mr. Holden—Do they at the Lansing House also?

A. Yes, sir.

Mr. Conductor Herrington—Wait a moment, I am examining the witness.

Q. How much did you expect it would cost to have this dance down there?

A. I didn't have any expectations.

Q. Didn't you say that when you marked down on this slip you had in your mind how much it would cost?

A. Yes, but I didn't know how much less it would cost.

Q. About how much was it in your mind to spend for that dance and feast?

A. From a hundred to a hundred and twenty or a hundred and fifty dollars. I didn't know the amount I needed.

Q. You intended to have an orchestra from Detroit?

A. I intended to have the best we could get.

Q. Who did you suppose would raise this \$150?

A. I expected the City of Saginaw would.

Q. You expected Mr. Shackleton would contribute?

A. I didn't expect whether he would contribute a cent or not.

Q. You expected the City of Saginaw would contribute it?

A. It didn't make any difference to me.

Q. Who did you expect would contribute it.

Judge Van Zile—I object to it. It seems to me it is a mere matter of speculation. It is not what was said or what was done that the counsel is inquiring about, but it is the expectation of what these gentlemen would do with reference to something that has never happened, and it strikes me it is not proper cross-examination.

The Speaker—Confine your question to what took place.

Mr. Conductor Herrington—I did not wish to state the purpose of this testimony for the very obvious reason we have charged him with soliciting money.

Judge Van Zile—(Interrupting) You haven't made any proof of that.

Mr. Conductor Herrington—I was just about to if you gentlemen had not put your witness on guard. I asked the question who he expected would raise this \$125 for this purpose.

The Speaker—His answer is he thought it would come from the city of Saginaw.

Q. To be allowed as an account passed through the common council?

Judge Van Zile—I object again to this question. It is what he expected as to whether it would be allowed. By a bill passed through the common council. It strikes me that that is not only immaterial, but it is subject to the same objection that I made to the previous question. It certainly is immaterial because there is no charge here that he expected to receive any money. The charge is that he solicited money, not that he expected it, but that he solicited it.

The Speaker—The Chair is of the opinion that the question is not proper.

Q. Whom did you expect would bring this money down, the mayor?

Judge Van Zile—I make the same objection to this question. It is mere speculation; there is nothing of that kind and it is not anything that has happened.

Q. I will change the question. Did you expect to get this money from Mayor Shackleton?

Judge Van Zile—I make the same objection.

The Speaker—He may answer that.

A. I expected this far, that when Mr. Shackleton was at my house he says it will probably be necessary to take some money out in interest of the charter.

Q. Then you expected that he would, did you not?

A. I didn't know whether he would or not.

Q. Did you expect this \$125 would come through the mayor, Mr. Shackleton?

Mr. Holden—Mr. Speaker, you have already ruled out the question and very properly, I think.

Mr. Conductor Herrington—He has already ruled it in.

Mr. Holden—Then why ask it again?

Mr. Conductor Herrington—Because the witness did not answer the question.

The question was here read by the official stenographer as follows:

Q. Did you expect this \$125 would come through the mayor, Mr. Shackleton?

A. I didn't expect it from Mr. Shackleton no more than from the rest of the committee.

Q. Did you expect any of it from Mr. Shackleton?

A. No, sir.

Q. None whatever?

A. I expected it from him the same as I did the rest of them.

Q. Then you did expect some from Mr. Shackleton?

A. But not the \$125 because I didn't know that I could get that amount.

Q. But you expected Mr. Shackleton would contribute some of this \$125 or the amount that was raised?

A. I didn't expect it because I didn't know anything about it.

Q. You stated that you expected he would contribute with the rest of them. Whom do you mean by the rest of them?

A. I mean Mr. Eaton when he said to me that he had some money and wanted to know if I wanted some to help further along the interests of this charter.

Q. Then you expected to get some from Mr. Eaton as I understand you?

Mr. Dodge—I submit that is not quite fair. He is calling Mr. Eaton into this transaction and saying "You expected to get some money from Mr. Eaton, did you?" This witness says he didn't have any expectations at all, and yet counsel is constantly insisting that this witness had some expectations about the matter that he disclaims entirely. If the speaker please, this witness, until the final action of this House upon the question pending here ought to be treated with at least the common courtesy as given in courts of the lowest possible jurisdiction. He ought not to be crowded in the manner that counsel are undertaking to pursue with him, and he is entitled to a little more consideration than witnesses ordinarily on the stand until this House has, by a vote, pronounced their verdict upon him, and then, if it is not guilty in the fullest extent, he is entitled to as much consideration perhaps as any other member.

Mr. Conductor Herrington—The gentleman has made quite a speech to the House, and I will make a little one. I will say that on the direct examination we did not make an objection. We let everything come in, and we hoped that they would not try to conceal anything on the defense.

The Speaker—Answer the question.

(The question was read by the official stenographer as follows:)

Q. Then you expected to get some from Mr. Eaton, as I understand you?

A. As I said before, I didn't expect anything.

Q. Why did you talk about the person if you didn't expect anything?

A. From any particular one. It was told to me that there was money offered to me if I wanted it for that purpose.

Q. Didn't you expect to get some from Mr. Eaton, when he told you that he would see what he could do about it?

A. I didn't expect whether he would fulfill or if he would do as he said or not.

Q. Who do you mean by the rest of them?

A. I mean Mr. Shackleton.

Q. Who else?

A. Mr. Crowley.

Q. Who else?

A. Mr. Tillotson.

Q. Who else?

A. That is all.

Q. Have you from the time you came down here upon last Monday morning up to the present time tried to conceal anything or cover up anything? I mean on the morning of the 18th?

A. Not that I know of.

Q. From the morning of the 18th to the present time have you tried to conceal or cover up anything that you had done?

A. Not that I know of.

Q. Do you consider that you did anything wrong?

A. Well, yes.

Q. When did you first come to that conclusion?

A. When I made out the list.

Q. You knew then that you had done something wrong?

A. I knew since that I did.

Q. How soon after making out that list did you know that you had done wrong?

A. Probably 15 or 20 minutes.

Q. That list was made out on Tuesday, the 19th?

A. I knew it when Mr. Fellows spoke to me about it.

Q. Then in your statement to the 15 members in the Speaker's room didn't you state that you didn't consider that you had done anything wrong?

Judge Van Zile—I object to that. That statement is taken down and reduced to writing and been introduced in this case and it is the best evidence of what he said.

Q. In your statement you said "I consider this an honorable thing to do."

A. Getting up the dance, yes.

Judge Van Zile—I wish you would read what precedes that.

Mr. Herrington—This is it: "I had seen three of these men smoke and no more. I considered this an honorable thing to do. I didn't intend to let you know whose money was feasting you."

Q. That is what you referred to when you said that you considered it an honorable thing to do, did you?

A. About the feast, yes.

Q. You referred to the feasting and not to the getting of the money?

A. Well, I thought it would be an honorable thing to get the money for the feast, yes.

Q. Did you think it was an honorable thing for you to write down the amounts opposite the names of the fifteen?

A. I found out afterwards it was not.

Q. When did you first come to that conclusion?

A. When Mr. Fellows spoke to me about it.

Q. Then when you were in the Speaker's room, what was your idea there; had you then concluded it was a wrong thing to do?

A. Which?

Q. To write down those amounts opposite the names of the fifteen.

A. I don't understand that question.

Q. At the time you were in the Speaker's room when these 15 members were present did you then conclude that you did a dishonorable thing in writing down opposite their names the amounts of five, ten and twenty-five dollars?

A. I don't think it is dishonorable only it was out of place and it should not have been done.

Q. Then you consider now that there was nothing dishonorable in that, do you?

A. I did not consider it a crime.

Q. Did you consider it dishonorable?

A. I didn't do right.

Q. Did you consider it dishonorable? Can't you answer that?

A. You could not call it honorable or dishonorable I think.

Q. Did you consider it right or wrong?

Mr. Dodge—He has stated repeatedly that he did not consider it right, or honorable or dishonorable.

Q. Will you answer whether you considered it right or wrong? I have not asked you the question before?

A. Well, yes, I should not have done it.

Q. Then you consider it wrong?

Mr. Holden—He has so stated.

Q. Mr. Conductor Herrington—Do you admit that he has stated it was wrong?

Mr. Holden—Certainly we will admit that he stated it over and over when he first began to realize it.

Q. Did you so consider it when you were in the Speaker's room?

A. I cannot remember what I considered then.

Q. You say an agreement was had between Mr. Shackleton and Mr. Linton on the evening of the 18th?

A. Yes, sir.

Q. And it was then considered that the charter bill would go through without opposition?

A. No, sir.

Q. When did you first consider that the bill would go through without opposition?

A. I never considered it that way yet.

Q. You stated in your direct examination that you told some of these gentlemen that the bill would go through all right if there was no opposition from the committee?

A. I don't think I stated that. If I did I didn't understand it, because I knew East Saginaw would fight it anyway.

Q. Why did you try to get this slip of paper from Mr. Eaton?

A. After Mr. Fellows had apprised me of the fact that I hadn't done the proper thing.

Q. You said they could give the money to Fellows. If it was an honorable thing to do why did you want them to give the money to Fellows?

A. Because I didn't want anything to do with it—that is, with the handling of the money. I am very peculiar about that; I want to account for every cent I have.

Q. When you were in the Speaker's room and these fifteen members present, you were not threatened in any way—were you?

A. No, sir.

Q. Nor intimidated?

A. I think not.

Q. You were treated courteously?

A. Yes, sir.

Q. You were not excited?

A. About that I should say I was.

Q. Was the bill to amend the charter of the city of Saginaw, which was prepared under the direction of the common council of the city, sent to you for introduction to the House?

A. No, sir; it was given to me.

Q. Did you introduce that bill?

A. No, sir.

Q. Who did?

A. No one.

Q. Why didn't you introduce it?

Mr. Dodge—I object to that as immaterial.

Q. Was any other bill to amend or to revise the charter of the city of Saginaw sent to you or given to you to be introduced by you to this House?

A. Yes, sir.

Q. By whom was it given or sent to you?

A. By the secretary of the union labor party.

Q. Who prepared the bill?

A. A committee of union labor men.

Q. Who drafted it?

A. The Hon. L. C. Holden.

Q. One of your counsel. By whose order do you know, was this bill prepared which you introduced?

A. By the working people of Saginaw.

Q. You introduced the last named bill, did you?

A. Which bill do you mean?

Q. The bill prepared by the local assembly.

A. There was not a bill prepared by the local assembly.

Q. Well, the Knights of Labor?

A. Nor by the Knights of Labor.

Q. Did you substitute the last-named bill for the bill which you understood was prepared by the council?

A. No, sir, made no substitute whatever.

Q. Who did substitute?

A. No one.

Q. Did you tell any citizen of Saginaw that the bill you had introduced in the House amending the charter of the city of Saginaw, and which passed the House under a suspension of the rules, without reference to any committee of the House, was the same bill that had been sent to you as a bill prepared by the Common Council, and that it had passed the House in the form in which you received it, without amendment?

Mr. Holden—That is objected to as too indefinite.

The Speaker—Let the witness answer the question.

A. No, sir.

Q. Which bill was it that passed the House?

A. The labor union bill—the union labor bill.

The following question submitted by a member, was read by the Speaker: In making the list of names, why did you put the different amounts opposite different names?

A. Just merely to make up the amount which I thought would be necessary.

Q. Have you ever met Mr. T. H. Williams in an assembly of Knights of Labor?

Mr. Ogg—You need not answer that question, Mr. Dakin. Mr. Speaker—

Mr. Dakin has taken an obligation as a Knight of Labor not to reveal such matters as that. He is not supposed to tell what takes place.

The Speaker—Mr. Dakin can assert this right if he desires.

Mr. Dodge—The Speaker has a right to protect the witness.

Mr. Holden—That is a privileged question, which I think the member who submitted it, if he understood the matters, would undoubtedly withdraw.

Mr. T. H. Williams—I submitted that question, and I would like an answer to it.

Witness—You can have it. I don't think I ever met you in an assembly. I have not been in one in this city.

The Speaker—Here is another question which Mr. Williams sends up:

Q. How do you know that Mr. Williams is a member of that organization?

Mr. Dodge—Has he testified to any such thing?

Witness—I did not say that he was.

Mr. T. H. Williams—He said so.

A. I said I *thought* there were two and I named them.

Q. Whom did you refer to?

A. Mr. Williams and Mr. Manly.

The Speaker—Are there any other questions?

Mr. Grenell—Ask him if he knows, of his own knowledge, that either of these gentlemen are knights of labor.

The Speaker—Do you know of your own knowledge that either of these gentlemen are knights of labor?

A. No, sir.

Mr. Holden—That was only an impression of your own that you had in regard to it?

A. Yes, sir, just an impression.

Q. You do not claim to have any knowledge upon the subject?

A. No, sir.

Q. Were you ever intoxicated?

A. No, sir.

Q. Concerning the Eichele House in this city, it has been asked if they did not have a bar there and you stated that they have. Where is the bar with reference to the dining-room?

A. It is on one side of the house, and where the stairs go down to the dining-room is on the opposite side.

Q. On the same floor?

A. No, sir, on another floor.

Q. On a different floor altogether from the dining-room?

A. From the bar.

Q. That is, the bar and dining-room are on different floors?

A. Yes, sir.

Q. Is it not a fact that a large number of very respectable people, members of this House some of them, and some of the Senate, and other gentlemen stop there?

A. Yes, sir.

Q. At that hotel?

A. Yes, sir; I have seen as respectable people there as I ever saw anywhere.

Q. Is it not a fact that at least one or two Senators have stopped there during the present session?

A. Yes, sir.

Q. As regular boarders and are yet there?

A. Yes, sir, I think there were three two years ago.

Q. And some of our town's people—business men—board there?

A. Yes, sir.

Q. Lansing people?

A. Yes, sir.

Q. It is a fact that at both the Lansing House and the Hudson House and the Chapman House they also have dining rooms and bars, is it not?

Mr. Conductor Herrington—That is objected to as incompetent and immaterial.

The Speaker.—Answer the question.

A. Yes, sir; as far as I know.

Q. Is there any hotel in this town, so far as you know, where they do not have both a dining room and a bar?

A. I think there is one down by the bridge. I don't know how it is now, but about a year ago I was there and I think they did not have a bar.

Q. That is the only one you know of and that is simply an impression as to whether they do or do not?

A. Yes, sir.

Q. Speaking about the charter which you say was prepared by the direction of the working men and introduced by you, you have stated that the writing was done by myself?

A. As far as I know, yes, sir. I wish to make that qualification.

Q. And were among those working people that requested the writing to be done, a number of the members of the common council?

A. Yes, sir.

Q. And do you know whether they brought to the one who wrote the particular sections they desired amended, and a written statement of the manner in which they desired them to be changed?

A. Yes, sir.

Q. And it was drawn precisely in accordance with their request in that respect, was it not?

A. Yes, sir.

Q. And aside from that I have had nothing whatever to do with it have I?

A. No, sir.

Q. Either in Saginaw or since it has arrived here?

A. No, sir.

Q. So far as you know, what part have I taken in getting that measure before this House or through it, or to defeat it in any way?

A. None whatever.

Q. Some question was asked in regard to playing cards, and the gentleman asked further if it was for money and you said no. Did you ever play for money or any valuable thing?

A. I never played cards for money in my life.

Q. Whatever card playing you have done has been simply in a social way?

A. Yes, sir.

Q. With friends?

A. Yes, sir.

The Speaker—Mr. Manly sends up this question:

Q. Did you not mark those names without regard to who they were?

A. No, sir, I think I had regard.

Mr. Conductor Herrington—What regard?

A. That they were influential men of the House.

Mr. Conductor Herrington—And you picked out those that you considered were the leading influential men?

A. A part of the leading and influential men.

Q. And picked them out because of their standing?

A. Yes, sir.

Q. Both as intelligent and upright honorable men?

A. Yes, sir.

Q. Picked them out for that reason?

A. Yes, sir.

Q. And because their character was above reproach?

A. Yes, sir.

By Mr. Holden:

Q. No amounts were put there until Mr. Eaton had induced you to check certain influential ones?

A. No sir.

Q. And then after that you were asked by Mr. Eaton to put the amounts opposite the names?

A. As a matter of convenience to know about what was wanted, he said.

The Speaker—Mr. Holt sends up the following question:

“You stated that Mr. Eaton said at the time the roll call was made that this matter should go no further, did you not?”

A. Yes, sir.

Q. If so, what did you understand Mr. Eaton to mean by the expression, and did you not wish that the matter should be kept secret?

A. No, sir, not a word said. He made that remark, and there was nothing said before or previously in relation to that remark.

Q. Further than this, did you not then and there think you had done wrong?

A. No, sir.

Mr. Dodge—Jerome Shank will please take the stand.

TESTIMONY OF JEROME V. SHANK.

By Mr. Dodge:

Q. What is your full name?

A. Jerome I. Shank.

Q. Where do you reside?

A. In this city.

Q. How long have you lived in this city?

A. About three years.

Q. I hear one of the members ask what Shank you are. Are you a brother of Dr. Shank of this city?

A. I am.

Q. What is your business?

A. At present I have no business. I am doing a little writing for the examining board here.

Q. What examining board?

A. The board of pension examiners.

Q. What other business do you do at your leisure, if any?

A. Why, I do a little gardening and write some for the paper.

Q. What papers do you contribute to?

A. At present I am contributing to the Lansing Sentinel.

Q. A short time since, within the past two or three weeks, did you meet some gentlemen in the office of the Lansing Sentinel who had something to say to you about the respondent, Milo H. Dakin?

A. I did.

Q. What did those gentlemen have to say to you with reference to Milo H. Dakin, if anything?

Mr. Conductor Diekema—We object until he draws out the fact who those gentlemen were.

Mr. Dodge—I will do that in the next question.

Mr. Conductor Diekema—We object unless that is done at this time.

Mr. Dodge—I promise to do that in the next question.

The Speaker—Reverse the order of the question. Ask the other question first.

Q. Have you seen any one of those gentlemen on the witness stand that you met in the Sentinel office, as you remember?

A. I think I have.

Q. Was it Mr. Frederic L. Eaton, as you remember?

A. Well, I don't know what his first name is.

Q. The witness with glasses who was on the stand?

A. Yes, sir. It is the witness I know here as Mr. Eaton.

Q. What did Frederic L. Eaton say to you about Milo H. Dakin, if anything? Give the substance as nearly as may be.

A. Well, without undertaking to give the whole conversation, if I am right about recognizing Mr. Eaton, he said to me that that man Dakin was raising, I think he said the devil, with the charter—alluding to the Saginaw charter—and that "we" meaning himself and the gentlemen with him.

Mr. Conductor Herrington—We object to what he meant. State what he said.

A. Well, that "We are down here to knock him out," and I think he said "he—perhaps 'we'—are after Mr. Dakin's scalp, and mean to have it."

Q. About what day was it or date?

A. It was on a Monday, and either two or three weeks ago, I think.

Q. You cannot be positive about the exact date?

A. No, sir, I remember it was on Monday because, on their speaking of going up to the House from the Sentinel office, I remarked that the House would not be in session, it being Monday forenoon.

Q. How many gentlemen were there in company with Mr. Eaton on that occasion?

A. Two I think, possibly three.

Q. Was there any one else aside from the three gentlemen and Mr. Eaton present in the office of the Lansing Sentinel except yourself?

A. No, I was alone in the office when they came in.

Q. What was the first inquiry that Mr. Eaton made when he approached you in the office?

A. They came into the office in a blustering way and greeted me as if they thought they knew me, or at least that was the impression it made on my mind.

Mr. Conductor Herrington—Tell us how they greeted you and not your impression.

Q. State now everything that took place, how this man acted and what they said to you on this occasion.

A. I think when they came in that the gentleman whom I believe to be

Mr. Eaton spoke very familiarly and said, "Good morning, or good day," and on looking up I saw that he had discovered that I was not the person he took me to be. I was sitting in the chair at the desk usually occupied by the editor, and after a little talk among themselves, not addressed to me, he enquired if I knew where Dakin was, and I told him I did not, and I think I asked him who Dakin was. I know at the time I did not know who Dakin was. I think I asked him who Dakin was. I was informed by him, or by some one of the three, I could not say which, answered me, who spoke up and said it was that damned traitor who was Representative from Saginaw. I asked in what respect he was a traitor, or words to that effect. I do not pretend to remember just my language, but I am sure that was the substance of my inquiry, and then they told me about his having introduced here a charter different to the one that they had entrusted to him to introduce, or expected him to introduce, I would not say which it was, and went on to say that he and Fellows were damned traitors. I think that is the precise expression that was used. I will try to recall it fully.

Q. What time of the day was this?

A. It was in the forenoon, and about noon.

Q. This was not in the printing office where the work is done, it was a sort of an editorial room or the room used for editorial purposes?

A. It was in the room used for editorial purposes.

Q. And that office is located on Michigan avenue, leading to the capitol, on this side of Washington avenue, and is known as the Barnes & Gillett Block?

A. Yes, sir. I think, then, that one of them spoke about going up to the House, and I suggested that the members of the house would not be up here, it being Monday forenoon, and one of them, I cannot say which it was, said, "We will go up to the House anyhow," and upon that they appeared to be about leaving the office. I then remembered that the representative from Saginaw was a Knight of Labor and a workingman's representative, and being that sort of a man myself I felt some interest in it, and asked if they were a delegation down from Saginaw to oppose Mr. Dakin, and was informed that they were. This was about as they were leaving the office, and the gentleman, whom I believe to be Mr. Eaton, on leaving apparently to go up here, in accordance with the purpose they had announced, replying to my question whether they had come down as a delegation to oppose Mr. Dakin, made substantially this remark, "that they were after his scalp and I meant to have it."

Q. Was that the subject of the conversation had between you and these gentlemen?

A. That is the substance, and the conclusion of it, for that matter, for they went out of the room, and I supposed came up here.

Q. Since Mr. Eaton has been upon the witness stand, and you have first seen him here from the gallery, have you taken particular pains to get closer to the gentleman, in order to be able to recognize him more readily?

A. I have.

Q. And now you give it as your judgment, from his appearance, and from what you have seen of him on the witness stand and elsewhere by coming in close contact, that he is one of the three gentlemen. Am I correct?

A. Yes, sir.

Q. Did these three gentlemen give you to understand that they were a com-

mittee themselves, or a part of a committee or delegation from Saginaw with reference to the city charter bill?

A. I got the impression that there were others down with them.

Q. With whom they came about this business?

A. Yes, sir, that they were from Saginaw as a company of men, a delegation perhaps you would call it.

Q. Did the other two gentlemen whom you think were in company appear to you as though they were laboring men, or were they men comfortably well-dressed and appeared more like perhaps merchants or business men or lumber men?

A. I do not think I got the impression that they were laboring men.

Q. You think you could have been able to judge whether they were laboring men from their appearance?

A. They were not in laboring men's work-day clothes, certainly.

Q. Are you acquainted with Mr. Dakin?

A. I know him when I see him.

Q. How long have you known him?

A. Only a few days.

CROSS-EXAMINATION BY CONDUCTOR DIEKEMA.

Q. In what part of Lansing do you reside?

A. On Grand street.

Q. What part of Lansing is that, in what direction from here?

A. The street next to the river, on this side of the river.

Q. Have you a family?

A. I have three children.

Q. A wife?

A. No, sir.

Q. Do you live anywhere near Mr. Dodge?

A. I should think Mr. Dodge's home is about half way to the place I reside from the capitol.

Q. To whom did you first tell this story?

A. I cannot tell to whom I first told it.

Q. Have you any recollection on that subject?

A. No, sir, I have not.

Q. Do you remember about what time it was that you first told this story?

A. No, I could not tell you.

Q. Did you tell this story to anybody before you told it to Mr. Dodge?

A. Yes, sir, I think I did.

Q. Do you remember to whom?

A. I told it to my brother, Dr. Shank, and I told it to the editor of the Sentinel, Mr. Potter.

Q. At what time did you tell it to the editor of the Sentinel?

A. I should think it was about two or three days ago.

Q. You say it was about three weeks ago on Monday that this happened?

A. Two or three weeks.

Q. Are you sure whether it was two or three weeks?

A. No, I am not sure. I could not positively say whether it was two or three.

Q. You are sure it was at least two weeks?

A. I think it was at least two weeks. It was not last Monday.

Q. Are you sure it was on Monday?

A. I feel very confident it was Monday for the reason I gave.

Q. What was the reason?

A. I remember the fact of speaking to them about it that they would not find the members here because it was Monday forenoon and the members would not be back.

Q. Can you refresh your memory and tell us whether that was not a week ago last Monday?

A. I have tried very hard and cannot do it.

Q. You can state it was either a week ago last Monday or one Monday previous to that?

A. I should think so.

Q. Can you be positive?

A. I think I can be positive about that.

Q. So we can take it as your positive statement that this conversation in the editor's room was a week ago last Monday or one Monday previous to that?

A. Yes, sir.

Q. You say it was about 11 o'clock when they entered?

A. Perhaps a little later.

Q. Have you been able to recognize either of the other two men?

A. No, I have not; and I have looked carefully for them, too. I would like to say—I don't know as it is worth while to say it—but I do not see well.

Q. How long have you had this trouble that you cannot see well.

A. A good many years.

Q. Growing worse?

A. Yes, sir.

Q. Did you have your glasses on that morning?

A. Yes, sir.

Q. How far distant can you see easily and distinctly a person?

A. In such a light as this I could recognize a person with whom I was familiar sitting at the table. I now can recognize Mr. Dodge.

Q. If you were not familiar with a person would you recognize him meeting him on the street?

A. Across the street from me, I think not.

Q. What seems to have been the trouble with your sight?

A. That has been a long while a mystery to me. I cannot tell you. I cannot see, that is all.

Q. What business have you been engaged in for the last year?

A. For the last three years I have had no business except that that I have stated. I have done a little writing for the pension board.

Q. Before those three years?

A. I have been a farmer, and have been a clerk in the capitol three or four years.

Q. Where did you reside before you came to Lansing?

A. I have resided in the State of New York; in the State of Kansas, in the territory of Minnesota and in the State of Indiana.

Q. Where did you reside before you came to Lansing?

A. In the State of Indiana.

Q. How long?

A. About seven or eight months.

Q. Lived in one place all that time?

A. No, not all that time; nearly all that time.

Q. What were you doing there ?

A. I went there as agent for an encyclopedia.

Q. Was your family with you in Indiana ?

A. No; I have not lived with my family in about 12 years, perhaps 11 years.

Q. Why not ?

Mr. Dodge.—I object to that question as to why he has not lived with his family. If there has been any reason for their separation or there has been a separation or any domestic infelicity, I do not think this witness should be called upon to state it. It affects, perhaps, somebody else rather than the witness alone and certainly there can be no good of it.

Mr. Conductor Diekema.—I have not seen the witness until today and I suppose it is very material in this case to know what kind of a man we are dealing with, what his history is, what his occupation has been and so on.

The Speaker.—There is nothing wrong in asking the question.

Question repeated.

A. I should like to state it as briefly and fully as it is necessary. I lost my wife in Kansas on the 15th of September, I think 11 years ago, and her mother, my mother-in-law, reached our home in Kansas the day after my wife died and brought my two youngest children home with her to the State of Michigan, because she could care for them better than I could in our new home, with my small means. My oldest child, a son, then I think nine years old, and myself stayed there about a year and a half, when my health having failed very much, by brother, Dr. Shank of Auburn, New York, came out there and visited me and remained with me some weeks, treating me, and took the remaining part of my family, my oldest son, home with him to New York State, and remaining in Kansas I think about a year after that, and how I got away from Kansas I cannot tell you, I do not know myself.

Q. It was not by cyclone ?

A. No, it was not. The fact is I was deranged; I suppose that is the truth about it. I suppose I came in a deranged state of mind. I cannot tell you about it. There is some time in my life that I cannot account for.

Q. How long a time is that that you cannot account for ?

A. Some months. There is perhaps a year and a half of my life that is quite confused to me.

Q. Mentally deranged ?

A. Yes, sir, I think so.

Q. Did your brother treat you for that ?

A. Yes, sir.

Q. Were you troubled with your eyes also at that time ?

A. O, no, that is an old trouble.

Q. You say that was about eleven years ago ?

A. Not that I came away from Kansas. I should think that was about nine years ago.

Q. You don't know where you went during that time that your mind was deranged ?

A. I don't know. I could not tell you where I went.

DAVID CROWLEY, RECALLED.

Examined by Mr. Dodge.

Q. You have visited Lansing I believe you stated on your direct examination before on several occasions, with reference to your city charter ?

A. Yes, sir.

Q. There has been considerable said about that amount of money that Mr. Fellows expended during those five or six days down here at Lansing, and therefore it is that I desire to ask you about the amount of money you have expended on your several trips down to Lansing?

Mr. Conductor Herrington—We object to that as incompetent, irrelevant and immaterial.

The Speaker—The objection is sustained.

Mr. Dodge—That is our case.

FREDERICK L. EATON RECALLED.

Examined by Mr. Conductor Diekema.

Q. You were present when Mr. Shank gave his testimony here a moment ago, were you not?

A. Yes, sir.

Q. Did you hear his testimony?

A. I heard the greater part of it.

Q. Did you hear his testimony relative to your coming in with two other men to the office of the Sentinel?

A. I did.

Q. What can you say as to the truth of that statement?

A. I say that he is mistaken.

Q. Were you ever in the Sentinel office?

A. I was not. I never was in the Sentinel office in the city of Lansing.

Q. Were you ever in any printing office in the city of Lansing?

A. I never was except yesterday morning I went to the State printing office about 7 o'clock to see if the journal was issued. I stepped to the door and met a gentleman and inquired, and it was not out and I came away.

Q. Were you here in Lansing a week ago last Monday?

A. No, sir.

Q. Were you here in Lansing two weeks ago last Monday?

A. I was not.

Q. Were you here in Lansing three weeks ago last Monday?

A. I was not.

Q. Do you remember that you came to Lansing at all on this charter business on any Monday?

A. Certainly not on any Monday since the 7th of March, and I don't remember being here on any Monday this winter.

Q. How can you fix that date that you were not here on Monday?

A. By reference to my diary.

Q. Have you that diary with you?

A. I have. At what date?

Q. Say for all the Mondays in the last three weeks previous to this week Monday.

A. On Monday the 4th day of April I was at home. If I remember right, it was election day. I attended the election. On Monday the 11th day of April I went to Mt. Pleasant and argued and submitted a chancery case, the case of *Saxon vs. Bennet & Harrison*. On Monday the 18th of April I was at work in my office in Saginaw. I drew an agreement between two gentlemen on that date, which I remember I drew about 1 or 2 o'clock in the afternoon.

CROSS-EXAMINATION BY MR. DODGE.

Q. During the examination of the witnesses here have you yourself, or the gentleman over near the picture there, been sending questions to counsel?

A. I have.

Q. You have been taking part in propounding questions to witnesses on the stand?

A. I have.

Q. Who else, aside from members over there of the Saginaw delegation of gentlemen have been propounding questions?

A. I think ex-Senator Foote suggested one question. Aside from that I don't know that any one.

Q. Did you send some questions up to the Speaker, too?

A. No, sir.

Q. Your questions were sent to counsel?

A. I either sent or handed them to counsel?

Q. Then yourself and Mr. Foote and these other gentlemen there have been counseling together and some of you propounding questions or aiding the prosecution?

A. As I have stated.

Q. It is correct as I have stated it, isn't it?

A. Read the question.

The question was read by the official stenographer.

A. I have propounded questions and Mr. Foote has propounded one question or suggested one question.

Q. Have you been consulting together as to the method of conducting this prosecution and offering suggestions in pursuance of your counsel?

A. To whom?

Q. To these gentlemen?

A. I have.

Q. You are especially anxious and interested upon the part of the prosecution in this case, are you not?

A. No, sir. Let me say I am anxious that the facts that I am aware of shall be correctly presented.

Q. Didn't you think that the counsel are capable of getting out those facts without your assistance and the assistance of those other gentlemen from Saginaw?

A. In some instances, no.

Q. Isn't it true that to those gentlemen that you have repeatedly criticized Mr. Dakin and in very severe terms?

A. To which gentlemen?

Q. These gentlemen as well as other gentlemen?

A. I don't understand to whom you allude.

Q. Well, the question is a broad one.

The Speaker—Confine it to somebody; who are these gentlemen?

Mr. Dodge—The gentlemen he has been in consultation with.

Mr. Deikema—Who are they?

A. Colonel Little, Mr. Smith, ex-Senator Foote and ex-Mayor Hill.

Previous question read.

A. It is not. I have stated the facts to them which I have related here in evidence.

Q. Have you given to these gentlemen your personal opinion of Mr. Dakin?

A. I don't remember that I have.

Q. Did you on one occasion coming down on the train, or have you on any occasion ever stated that you would undertake to have the scalp of Mr. Dakin or that you would make him some trouble?

A. No, sir, not at any time or any place.

Q. Or anything of that import or nature?

A. Nor anything of that import or nature.

Q. You are friendly with Mr. Dakin and have up to this time been friendly?

A. Yes, sir.

Q. Then I ask you now why you are so exceedingly anxious to assist and volunteer your services upon the part of the prosecution in this case?

A. Because I am anxious that these facts shall be correctly represented. Further than that I have no interest in the case.

Q. Don't you think that the House of Representatives and the learned counsel here are capable of doing that without your assistance?

A. So far as they know what the facts are, but as they have learned these facts from me, and they have from time to time overlooked some of the facts which I have stated to them, I have called their attention to those facts which I thought they had overlooked.

Q. And the matters that they had overlooked you have suggested to them, and that was your only purpose?

A. That was my only purpose.

Q. Let me ask you in view of this testimony that you have given if you were not especially anxious and interested in this prosecution?

A. I am not.

Mr. Conductor Herrington—I object to that; he has answered it three or four times.

Mr. Conductor Diekema—Did you ever see this man, Mr. Shank, before, that you remember?

A. I do not know that I ever did.

The following is a copy of the roll call submitted in evidence in this case and marked as an exhibit therein:

YEAS. NAYS.

Mr. Abbott,
 — Allen, —
 Anderson,
 Ashton,
 — Baker, S., — 5
 Baker, W. A.,
 — Baldwin, — 5
 Bardwell,
 Bates,
 Baumgardner,
 — Beecher,
 Bettinger,
 — Bently, — 5
 Breen,
 Brock,
 — Burr, — 5
 Cady,
 Cannon,
 Case,
 Chamberlain,
 Chapell,
 Chapman,
 Cole,
 — Crocker — 10
 Cross,
 Dakin,
 Damon,
 Dickson,
 — Diekema, — 10
 Dillon,
 Dougherty,
 Douglass,
 Dunbar — 5
 Eldred,
 Engleman, — 5
 Goodrich,
 Green,
 Grennell,
 Harper,
 — Haskin,
 Herrington, — 10
 Hill, —
 Hoaglin,
 Holt,
 Hoobler,
 Hosford,
 Houk,
 Hunt,

— Jones,
 Kallander,
 Kelley,
 Killean,
 Kirby,
 Lakey,
 Lincoln,
 Linton,
 Makelim,
 Manly, — 10
 — McCormick, — 5
 McGregor,
 McKie,
 McMillan,
 Mulvey,
 Ogg,
 O'Keefe, — 5
 Oviatt.
 Pardee,
 Perkins, — 10
 Pettit,
 Pierce,
 Powers,
 Preston,
 Reader,
 Rentz,
 Robinson, J. W.,
 Robinson, R.,
 Rogers,
 Rounselle,
 — Rumsey, — 25
 Simpson,
 Snow,
 Spencer,
 Stuart,
 Thompson,
 Tindall,
 Van Orthwick,
 Vickary,
 Vroman,
 — Washburn,
 Watson, F. H.,
 Watson, H.,
 Watts,
 Webber,
 Wellman,
 Williams, T. H., — 10
 Williams, W. W.,
 Wilson,
 — Wood,

The Speaker—I understand this to be all the testimony. Under rule 9 the final argument on the merits made by three persons on each side, and the argument shall be opened and closed by members of the committee on the part of the House, each speaker being allowed not to exceed thirty minutes.

Judge Van Zile—The rule does not intimate how many gentlemen will speak in opening on the part of the prosecution. I suppose that it will be fair that not to exceed one speech should be made in the closing of the argument. It would be unfair, as it seems to me, for them to make one speech in opening and then make two in closing.

Mr. Conductor Herrington—I will state what the committee have talked of, that is, that the committee should open, then the defense should follow with two speeches, then the defense with one and the committee close.

Judge Van Zile—That would be in violation of the rule.

The Speaker—Not as the chair understands it.

Judge Van Zile—I supposed that the rule was that the committee should open, and then the defense make their arguments and the prosecution close.

The Speaker—It simply says that the "Arguments shall be opened and closed by members of the committee on the part of the House," and that would be so doing it.

Judge Van Zile—There isn't anything in this rule permitting anything on the part of the prosecution, except to open and close the argument. Certainly a speech by them dovetailed between the speeches of the defense would not be either the opening or closing the argument.

Mr. Conductor Herrington—Perhaps before this matter is determined it may be well to have it understood that all witnesses on either side may now be excused.

Mr. Dodge—That is proper.

The Speaker—Unless there is some objection that will be the understanding. All witnesses that have been subpoenaed on either side of this case are now excused.

The chair will take it that the arrangement is that the committee shall open their case, to be followed by two members of the counsel for the accused, when the committee will then be allowed an argument by another of their members, counsel for the defense following with their third argument, and to be closed on the part of the committee of the House. The committee will proceed to open the case upon the part of the House.

Mr. Snow—Mr. Speaker, and gentlemen of the House: When I was elected a member of the Legislature, from the third representative district of the county of Saginaw, I did not for a moment believe that I should be called upon in this capacity, but that I was simply called upon to meet with you, gentlemen, here to revise and make such laws as were necessary to be made to advance and enhance the welfare of the great State of Michigan. But it so happens that I have been somewhat disappointed in my expectations, as this House has seen fit to place upon me a responsibility that I am determined I will not shirk. I have been called upon to act as an attorney in prosecuting my seat-mate, a gentleman who lives in an honest and intelligent class of constituents, a gentleman whom they expected, when they elected him to office, would represent them honestly, conscientiously and uprightly, and to the utmost of his ability in this House. But it seems that by some means or other he has been induced, or has of his own accord and free will seen fit to stamp some of the members of this House with calumny and to bring their names into disrepute.

Under the wise judgment of this House this committee that has been appointed to investigate this matter have, after a careful consideration of the subject as presented to us, instituted and drafted charges against the member from the 1st representative district of the county of Saginaw, and what do those charges set forth? They say that the Hon. Milo H. Dakin did corruptly solicit and endeavor to secure money from said John H. Shackleton mayor of Saginaw City, and Frederic L. Eaton, of Saginaw, and from various other persons for the purpose ostensibly of corruptly using such money among the members of the House of Representatives of the Michigan State Legislature, to influence what? To influence their votes in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committees, on labor interests and municipal corporations of the House of Representatives, but in fact for the purpose of corruptly and unlawfully appropriating all or a part of such money for his own personal use and benefit.

In the third charge he had been charged by this committee of corruptly making a list of names of certain members of the House of Representatives of the State of Michigan, together with the amount of money necessary to procure the vote and influence of each of said members, named in said list, in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committees jointly, and that said Milo H. Dakin did represent the said Frederic L. Eaton of Saginaw, that to secure the votes and influence of said members it would be necessary to use with each of them the amount of money set opposite his name, thereby bringing the good name and character of said members into ill repute.

I would say for the benefit of the counsel for the defense in this case that we claim and shall maintain that we have proven beyond a doubt articles two and three as set forth in those charges.

Gentlemen of this House, I am not ashamed to say that I am a resident of the county of Saginaw. On the other hand I am proud because I am a resident of Saginaw, and I hope that the members of this House will not cast any reflections upon me or upon the other members from Saginaw county because this disgraceful arrangement has been made, because this disgraceful transaction has taken place. Saginaw county, as you all know, is in the northern portion of the State of Michigan, and is one of the foremost counties in this great State, located on the Saginaw Bay, and intersperses with navigable streams, a very important and wealthy county.

When the members of that county came down here to represent the best interests of that county and the best interests of the people of the State of Michigan they were expected by their constituents to represent them well; to make laws for one of the grandest and most influential States in the number that goes to make up the Union, a State that stands second to none in the Union as far as educational interests are concerned. We find on almost every four corners school houses, and church spires reared aloft, that represent to the passers by and the travelers who may go through this great State that the word of God is revered. A State that has to-day in its chief executive an honest, a grand, a noble man. A State that has a wise and judicial minded court of last resort. A State that has influential and conscientious and scrupulous men in State offices.

A State that has at the other end of this building, people assembled to represent the best interests of the State, people who sit there to act wisely, people that sit there and look over carefully the little errors that this House may

make, and act conscientiously, honestly and uprightly in the whole proceedings. But we have a State to-day, when we come to the Representative Hall, that has cast over it a shadow. A shadow is now lingering over the north end of the Capitol of the State of Michigan, and what is the cause of it? Gentlemen of this House, you have heard the evidence in this case, and you know as well as I what the cause of it is. In my opinion, according to the evidence that has been given you here upon the witness stand, the great prime mover, the first instigator, the first man that had a rotten thought in his mind was the mayor of Saginaw City.

According to the evidence in this case he was the first man that talked money, and, sirs, I candidly believe that if he had never talked money to Representative Dakin that these proceedings would never have been instituted. And, sirs, because of the mayor in the city of Saginaw I claim that it is no excuse whatever for Representative Dakin to place opposite the names of these several gentlemen who are assembled here for a good and grand purpose, these figures.

But, on the other hand, we should decide conscientiously, honestly, according to our best judgment, whether Milo H. Dakin is guilty of the charges preferred against him.

Three or four witnesses have testified upon the stand that Milo H. Dakin placed the several sums of money opposite the respective names of fifteen honorable members of this body. Question: Why did he do it? Did he have an honest purpose in doing it? Did he do it to promote the best interests of this grand State of Michigan? Did he do it because his constituents expected he would do such things when they elected him to office? Or did he do it for the purpose of gain, for the purpose of taking money, a portion of which belonged, according to the testimony, to the hard-working honest, industrious people of the city of Saginaw, with the intention to put it down in his own pocket; money that belonged to the people who live in the city of Saginaw; money that was voted by them to place in the city treasury of Saginaw to advance and enhance the best interests of the people of Saginaw City? I say was that his purpose? Or did he intend to pocket that money if it was paid him, and have a social dance down at the Eichele house and invite members to a social dance who never danced?

Would it cost any more to let the Hon. Mr. Rumsey dance on the floor at the Eichele House than it would to let another member dance who was only classed as a five dollar man? Gentlemen, it looks to me as though he thought that the people that went to make up this great body here were as cheap as the sheep and goats upon a western plain; the sheep at five dollars a head and some of the goats at ten dollars, and one extra goat at twenty-five dollars. (Laughter.) Gentlemen, these intelligent and wise men that represent the best interests of the State of Michigan are not that kind of men. They cannot be bought and sold like so many sheep, and they are men upon whom no price can be fixed. They are not merchantable. They are not to be sold for gold. They are here to revise, repeal, make and put into the statute books such laws as their constituents demand.

This body has seen fit to try one of its members who has transgressed the rules of etiquette, to say the least, by casting these reflections upon these different members; by undertaking to get money of every man that he met on the streets almost—at least every man that hailed from Saginaw; for he knew, undoubtedly, that the people that live in that grand old city of Sagi-

naw have money. There are wealthy people that live in the city of Saginaw, and as the mayor undoubtedly said, in my opinion, they could well afford to furnish the money. There is where the rottenness began, in that ignoramus of a mayor from Saginaw City; and if the good people of the city of Saginaw do not invite him to step down and out, then they ought to be chastised. And I believe they will do it.

Now, gentlemen, the testimony in this case is very plain, indeed. There are other gentlemen who will follow me, who are much more able to present these facts to you than I am, who will argue the merits and the demerits of the testimony in this case. We simply say that we claim that the evidence emphatically shows beyond any question of doubt that articles two and three have been established; and we will simply ask at your hands, gentlemen of this House, that you do justice to yourselves. If you come to the conclusion that Milo H. Dakin has done wrong, say so. If you are satisfied, on the other hand, that Milo H. Dakin has not intentionally done any wrong, and that reparation has been made for the injuries done, say so. Deal honestly, justly, conscientiously, and righteously with this man.

Mr. Bates moved that Rule one be suspended, and that this House stand at recess until seven o'clock, P. M.

For which

Mr. W. A. Baker offered the following substitute:

Resolved, That rule one be changed to read as follows: Rule 1—The House shall meet daily at 10 o'clock A. M., and continue in session until 12 o'clock noon—when the Speaker shall declare a recess until 2 o'clock P. M., when it shall meet again and continue in session until 6:15 o'clock P. M.; when the Speaker shall declare a recess until 7 o'clock P. M., when the House shall meet again and continue in session until the arguments of counsel and committee are completed.

Which was agreed to.

The motion to amend rule 1, as amended by the substitute did not then prevail.

On motion of Mr. Grennell,

Rule 1 was suspended, two-thirds of the members present voting therefor, And the House took a recess until 7 P. M.

EVENING SESSION.

7:00 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the investigation of the charges against Representative Dakin.

MR. DODGE.

Mr. Speaker and Gentlemen of the House of Representatives:

This, I think, is the most trying experience in my brief period as a lawyer, and I hardly know how to open this case to you on the part of the defendant. It is something entirely new, not only to me, but entirely new to the people of the State of Michigan.

I feel that I have more than an ordinary sense of duty here, and more than all I have a feeling, gentlemen of the House, it is that of sadness indeed. It was my privilege two years ago to serve with the gentleman as a member of this honorable body who is to-day on trial before you charged with malfeasance, misfeasance and venal conduct in office. Those are serious charges. Those are charges that if proven will not only disgrace and forever humiliate the respondent, but will require you, as a sense of duty, to expel him from his seat upon the floor of this House. And now, as these proceedings are drawing to a close, permit me to thank not only the Speaker who has so ably and impartially presided over the proceedings, but the honorable members of this House for the uniform courtesy and attention given while the testimony and arguments that have thus far been made, have been heard.

It has been stated by members, in one or two instances to my knowledge ; it has been stated by the press, which I believe is the most powerful moulder of public opinion of the present age—it has been stated that the doom of Milo H. Dakin is sealed, and this came with almost official sanction, and it came before the testimony was commenced in this case, not only from various ones but from the press. They had him tried and convicted, and would have carried the sentence into execution if it had been possible, and to-day he would have been away from Lansing, resting under the disgrace and ignominy that would follow an expulsion from the House of Representatives. But can this be true? Can it be true of the members of this intelligent body? I apprehend not. When my friend who preceded me, in his eloquent words eulogized the educational institutions of Michigan, in the beautiful language which he employed, when he soared so high and talked about the cloud reaching spires he filled every one of your hearts with a sense of pride, with a sense of gratitude, I have no doubt. At least I with him congratulate the people, not only the representative body here assembled, but the people of the State of Michigan that she stands to-day one of the first States in the Union for those advantages which he so beautifully illustrated, by way of her educational institutions. But while we have those educational institutions is there a lawyer, is there a member of this House who has carefully pursued his business career, that has not discovered that in her courts of justice there have been invariably laid down rules that have always governed, rules that always will govern, rules that affect the vital interest of not only of man's property but his individual liberty.

What is one of those rules? Permit me to call your attention to it. I speak of that rule, laid down as a fundamental principle of law of evidence, of practice and advocated from time immemorial, that intent is the gist of all crime. My friend said to you in the opening of this case that he did not believe that Milo H. Dakin, if I understood him correctly, intentionally committed a wrong. Nor does any man I believe on the floor of this House think that Milo H. Dakin intentionally committed a wrong ; if a wrong has been committed, and he himself upon the witness stand says he perhaps committed a wrong, where is the intent, where is the motive? And so with public opinion, with all that has been said upon this subject to mould public opinion and to bias this body if possible, that is sitting to-day in judgment upon Milo H. Dakin, can it be that you have forejudged the case, that you have not been governed by law, not by any rule of evidence, but that you have been governed by idle rumor and by passion, and by feelings of distrust and dislike for this man who to-day is standing at this bar of justice?

If that is true I say to the members of the Michigan Legislature, come not into these magnificent halls to render your verdict, come not here where Milo H. Dakin has for nearly four years served the people of the State of Michigan, where he has to the very best of his ability discharged his trust ; where, because of the confidence reposed in

him he was re-elected to the Legislature, as was stated, by an increased majority—I say then, if the members of the Michigan Legislature have forestalled a verdict and forgotten the obligation which they took at the bar of the House on the opening day of the session, and that they are not trying this case under the solemn obligation that is upon them to discharge their duty, according to the law and under the obligation they have taken, if that is true, I beg of you not to come into this magnificent chamber to record your verdict, but rather seek out the subterranean recesses of this capitol, where the cheerful light of day never shines, and there erect the altar and immolate the victim.

Who is Milo H. Dakin? Let us briefly allude to his career. Forty-three or four years ago Milo H. Dakin was born in Ingham county, and the testimony I believe shows that he never knew his father, he either having died or been separated from him in his early age. At the age of ten years he went forth to maintain and sustain and protect and provide for his widowed mother. At the age of fifteen he went to the front, enlisted to serve his country, and in behalf of this proud republic he helped achieve the victory. He fought for you and for me. He fought gallantly and he fought well. Never has stigma, disgrace or insult rested upon the name of Milo H. Dakin, as is shown by every witness who has been sworn in the case, until when? Not until the 19th day of April, 1887. And from whom does it come? This part of the case is the most humiliating thing to me that we have to contend with. It is something that tifies me, that chokes me. It makes me wish that I had never been born, that this man Eaton, a member of the legal profession, who has been sworn as a witness in this case, should take the stand and solemnly say, as he did at the close of the case today, that he has no malice in his heart, no unkindly feeling for Milo H. Dakin. Do you believe it? Gentlemen, upon your oaths and upon your consciences do you believe he told the truth? Do you believe when he told you in his evidence when he first went upon the witness stand, that his feelings were simply a sense of fright, of surprise, of startlement? Do you believe that? If that is true I ask him in the name of God to explain to you how it is that he undertook still further to fasten upon this man the disgrace that has at last attached to him, even though he should be acquitted by the unanimous vote of this body. Would Milo H. Dakin have been here on trial to-day had it not been for this man, Frederic L. Eaton, this man who has hounded him from the beginning to the close, this man whose name has been invoked here as the prosecuting witness?

Members of the House of Representatives, this is an important occasion to Milo H. Dakin and to the people of the State of Michigan. This record will live after you and I have passed away. This record will be here as a monument to your acts, and I beseech you and beg of you now to make haste slowly upon this occasion.

As I said before the press and outside influences have been brought to bear; and why? Because they say that they have a confession, a statement from Milo H. Dakin that condemns him. Condemns him of what? Show me the law, human or divine, that Milo H. Dakin has violated. Show me the first act of criminality. Show me the first thing done by this man that would subject him in a court of justice to reprimand or punishment or fine. You will not undertake that? You took the precaution in your several articles of specification of impeachment to strike out the words "any illegal act," and why did you do it? Because the able and honorable committee appointed here to prosecute this case deemed it was necessary because they were without proof to sustain the allegations. That is the reason.

And now what is the offense. I come down to the time these men were in this restaurant and at the time the marking was done upon this slip of paper, and that is the

only thing wrong, or the only crime that I understand will be argued to you in the close of this case on behalf of the prosecution, that Milo H. Dakin, there, in a thoughtless moment and under the influence perhaps of one or two glasses of wine and the associates and surroundings, made those marks there ; but he never has denied it. He has admitted everything that has been charged against him, so far as making the marks are concerned and reading off the names. But has it not been the proof in this case, from the beginning to the close, that Milo H. Dakin never has charged one honorable member of this body of being guilty, or being liable or susceptible of approach for any corrupt or unlawful purpose. I apprehend that the members of this House, when they come to consider the case, will be governed by the evidence.

It is laid down as one of the rules that shall govern this proceeding, that you will follow, as near as may be, the rules that govern in courts of justice. Permit me to call your attention to Section 9 Article 4 of the Constitution.

“ Each House shall choose its own officers, determine the rules of its proceedings, and judge of the qualifications, elections and returns of its members ; and may, with the concurrence of two-thirds of all the members elected, expel a member. No member shall be expelled a second time for the same cause, nor for any cause known to his constituents antecedent to his election. The reason for such expulsion shall be entered upon the Journal, with the names of the members voting on the question.”

There is your authority. That is ample and complete. If there is a disposition, under or without the evidence in this case to expel Milo H. Dakin and send him home in disgrace, you have the authority, you have the power. When you have done that you are not only assuming the duty and the responsibility of expelling Milo H. Dakin, but you are establishing a precedent that possibly will govern Legislative bodies, not only in the State of Michigan, but elsewhere hereafter. This vote will be forever of record. This vote will be forever of reference in cases of this character, if any should happen to arise hereafter, and the charges and the proof and every word of the testimony in the case will be on file for the inspection of succeeding generations, and you sitting here as a branch of the Michigan Legislature will be answerable for the responsibility of your action here, and you alone.

Let me call your attention to one or two citations of authority with reference to the intent necessary to constitute crime.

“ There must be a motive. There can be no crime without an intent, and the intent is not always inferable from the act done.”

Bishop's Criminal Law, section 212.

“ Every crime must have necessarily two constituent parts, viz : An act forbidden by law and an intention.”

Bouvier's Law Dictionary, page 647.

“ All indictments against officers for misbehavior must show that the act is done by corrupt and partially malicious and improper motives, and above all, with the knowledge that it is wrong.”

Wharton's Criminal Law, page 737.
Roscoe's Criminal Evidence, page 804.

Show me the first act, the first thing that has been done by Milo H. Dakin that brings

him within the several provisions laid down by these eminent law writers. Not one gentleman of the House of Representatives; and the authorities are replete with decisions upon the question of intent as here stated. I might read twenty-five or fifty citations that I have made upon the subject, but I apprehend there will be no question raised by my friends but the authorities I have cited are the law, not only of Michigan, but of most of the States of the Union if not all of them.

Again, with reference to the intention: "It is the intention with which an act is done that constitutes its criminality. The intent and the act must both concur to constitute the crime, and the intent must therefore be true as well as the other material facts in the information. The proof may be either by evidence direct or indirect tending to establish the fact or by inferences of law from facts proven."

Tiffany's Criminal Law, page 408.

I call your attention to these authorities because of the fact that it seems to me that while you are not seemingly governing this case by the strict rules of evidence laid down by the authorities, and while possibly it is not necessary that you shall have the best possible excuse for your action in expelling a member, they ought to govern you somewhat in making up your judgment as well here as they would in a court of justice. Mr. Dakin can be expelled beyond any possible question whether or not he has committed a crime under the Constitution. If in your judgment you think he should be expelled from his seat upon the floor of this House for any offense, or for anything you may deem an offense, it is within the province of this Legislature, and by a two-thirds vote they can carry out any design they may have on this man or any other of its members.

I have the honor of knowing personally many members of this Legislature, and I know it would be a tedious thing if I should undertake to read to them the evidence that has been submitted in this case, or even briefly call attention to it, because it must occur to you that there is only one question of vital importance to consider, and that is, from the surrounding facts and circumstances has Milo H. Dakin been guilty of such malfeasance, misfeasance or venal conduct in office that should entitle him to be deprived of his seat.

Some of you, I apprehend, will say that Mr. Dakin is too foolish a man, too silly a man, to be entitled to a seat upon the floor of this House, but if you argue with yourselves in that line of reasoning for a moment, permit me to again call your attention to the constitution, which provides that a man sent here with his infirmities or his condition known to his constituents, it is not a sufficient cause, after he has taken the oath and been sworn in and taken his seat, for removal; in other words if the Saginaw Valley should send down here from every one of its representative districts imbeciles, and they knowing them to be such, having taken the oath of office and their seats upon the floor of this House, that would not, under the constitution of Michigan, be sufficient grounds for you to expel them from their seats. The people know whom they send here, or are supposed to, and in their sovereign capacity they have a right to make the selection, so long as the man who is elected can take the constitutional oath of office. That is all that can be required of him, and he is entitled to his seat, whether he be imbecile or gifted with one of the most brilliant minds in the State of Michigan.

My friend also calls attention to one of Saginaw's citizens and says that there is where the criminal is, and he refers to Mayor Shackleton of Saginaw City. I do not know but what everything he says is true about Mayor Shackleton, but I submit that my

learned friend is not talking from the evidence in this case when he makes that deduction or that statement from it. It is not warranted by the evidence. I am not here to defend Mayor Shackleton, I am not interested in his case, except so far as I believe he is entitled to my protection as he is to the protection of every good citizen ; but I insist that my friend goes far out of the way to pay that sort of a compliment that the records show he did in his speech to the mayor of Saginaw City. What has Mayor Shackleton got to do with Milo H. Dakin, even suppose he is as rotten as my friend says he is, to the very come ? Is Milo H. Dakin responsible for it ? I apprehend not. My learned friend talked about Mayor Shackleton, talked about the educational advantages of Michigan a great deal more than he did about Milo H. Dakin. Where is the word uttered, except when he said there is a cloud hanging over the capitol building to-day, that would in any way insinuate or intimate that it rested on the shoulders of Milo H. Dakin. I did not detect it in his speech, and if we were to look into his heart we could not detect it there. I believe Representative Snow is a scrupulously honest man, as is every one of the immortal fifteen with whom I have the honor to be acquainted.

They are candid men and they are honest men. They have had their feelings hurt and wounded and injured no doubt, but I ask them, in the cool evening of their deliberations and their judgment, will you visit your spite and your animosity upon Milo H. Dakin, or will you coolly consider the facts and evidence and treat this case as you would the case of any other man if he has offended, treat it as you believe on your oaths it deserves and then impose the punishment, if at all. Does it not appear to you from the evidence as though Milo H. Dakin was being pursued not as a criminal but because somebody is undertaking to victimize Milo H. Dakin and connect him with this transaction in a way that forever will disgrace him ? Does it not occur to you by the testimony given by this man Eaton, this man whom it seems to me they have resorted to, as the most noxious poisons are sometimes resorted to for medicine. I despised that man from the day he took the witness stand, with every drop of blood in my body, and it is hardly possible for me to look him in the face or speak kindly to him. I cannot do it with any consciousness that I am doing my duty, because I believe that that man, in his bitterness of heart, because of his being defeated for the renomination as city attorney, or for some bad and wicked reason, is pursuing Milo H. Dakin to-day, and this poor man Fellows who has lived so long in the Saginaw valley, and borne a most excellent reputation, that they are each being pursued not as criminals, but being hunted down as victims of a horrible conspiracy.

What is the character of the witnesses upon the part of the prosecution, and what is the character of the witnesses here upon the defense ? Every one of those men, if they are honest, have told you on each and every occasion when the question was put to them, that they believed that Milo H. Dakin had, from the beginning of their acquaintance with him to the present time, sustained universally a reputation for purity of character there and honesty in his business transactions, and as a member of the House of Representatives faithful and honest.

Now, how is it that he can be followed right down to this very time, and you satisfy yourselves that because of some mistake that he made upon this occasion, he deserves the censure that this man Eaton and others who are prosecuting and following him would like to have you visit upon him. I ask you, as members of the House, is it not a little strange that Mr. Eaton should be so actively engaged in this prosecution unless he has some other motive than a desire to protect the fair name of of the Saginaw Valley and the State of Michigan ? Does it not look a little remarkable that this man should come down here, and that he should make the statement that he

did upon the witness stand when he was asked about his purpose and his object, when he said that he had no bad purpose nor intention in view; and yet he meets this man upon the street, and the testimony shows upon their side, without reference to the evidence that comes from the defense, that Milo H. Dakin went into the saloon and sat down in that stall, and made those marks at this man's instance and suggestion. Who is responsible for it? I ask you to ask yourselves, would Milo H. Dakin be here to-night, would he have made those marks on that roll-call, would he ever have been guilty, so far as you know from the evidence in this case, of an offense under the sun, had it not been for Frederick L. Eaton? Is that not true? Of course it is true, and there is no denying it.

I ask you to contrast the two. Here are these men, Eaton and Milo H. Dakin, standing up before you in the image of their Creator—I ask you, barring any prejudice, putting that aside, if it is possible for you to do so, to judge between these two men, Which has been imposed upon? Which has been outraged? Which has brought this disgrace upon the people of the State of Michigan, or at least, which has been the more active in bringing this disgrace upon the people of the State of Michigan, and especially upon this body. I think you will answer that readily, and there is but one answer to make, that Frederic L. Eaton is the man. And when you come to think, members of this House, that this is being tried by your honorable body, that you are the prosecutors and that we, as humble members of the profession, come in here to contend against the able gentlemen you have selected to conduct the prosecution, and then if they see fit to contend against us by their votes, it seems to me it is a most extraordinary case and one that you should carefully consider and ponder over. It seems to me you cannot afford to act hastily, if you have your minds made up from the newspaper reports and from rumor and gossip that this man is guilty, you ought to be able, when you announce your verdict of guilty to come in here and write it out and say from these facts you find him guilty, and from these facts you can satisfy yourselves that he is guilty. Make the record clear and clean.

I have now occupied my time and ask your pardon for the manner in which I have addressed you, and trusting and sincerely hoping, yes, praying, that you may do simply justice in this case. You would not see me here to-night did I not believe that this man has been shamefully outraged and you unpardonably imposed upon by somebody else; and now after you have considered the case you will say as you believe in your conscience and as though you were sitting upon a jury, sworn under the strict rules of law and evidence, to render a verdict according to law and justice, and then you will have the satisfaction of having done your duty, and the people of the State of Michigan will abide by your verdict.

SPEECH OF MR. HOLDEN.

Mr. Speaker and Gentlemen of the House of Representatives:—This is indeed an almost unheard of occurrence, and from the bottom of my heart I wish that it were quite unheard of, and that the intelligence and integrity of man were such that they would render it impossible that such proceedings could be had by reason of a lack of any necessity therefor. It is true that rule six of the procedure in this matter provides that it shall be in accordance with the practice and rules governing courts of justice, and yet permit me, gentlemen, to call your attention to the fact that in a court of justice twelve men good and true must be called and sworn for the special occasion to give a verdict in accordance with the evidence and the law as it shall be given to them by the court.

No prejudiced man, no man who has been injured by the act complained of, can in any sense be permitted to sit in judgment; but by reason of the peculiarity of the law governing this case, it becomes necessary for the very men who have been injured in their feelings, and as they fancy perhaps, in their reputation, to sit in judgment and determine, not whether Milo H. Dakin has wronged another, but whether he has wronged them. I say under the peculiar law which governs matters of this kind you are compelled, if you proceed for the purpose of expulsion, to try the offense against yourselves; a course unheard of in any other proceeding upon earth. I call your attention to this, not that I believe you will act through spite, but because I know that it is necessary, when one is heated by a supposed wrong, for him to call to his counsel his innermost conscience and cool deliberation, and to say "I, suffering from the injury upon which I am sitting in judgment, must be cautious or I will do a wrong, and when I have cooled, in future years when I look over the record that I have made to-day in my vote upon this matter I will realize most keenly that

' Man's inhumanity to man
Makes countless thousands mourn.' "

It is necessary I say, for you to reason with your own consciences in this matter and be cautious, upon this charge of wrong doing in Milo H. Dakin, that you shall not act indiscreetly. I do not believe you will. I believe that the very position will suggest the necessity to each and every one of you to act in such a manner that no person can say that you were not calm, dispassionate and just, as far as it is possible for human kind to be under like circumstances. Gentlemen, what would you think of the parent, when the child has offended, if he should flog him in anger?

No! Better that before the parent metes out punishment to the child, he should wait until he does not feel the offense of his child against himself; wait until he has cooled, and then, tempering justice with mercy, inflict such punishment as cool, dispassionate judgment seems to dictate. Only when that is done are the terms "punishment" and "justice" synonymous. I realize most keenly, as you must, gentlemen, that while you all feel an interest in this matter, there are sixteen members of this honorable body that feel it in a double sense: Milo H. Dakin and the fifteen that he has unwittingly offended. Now it is competent, I presume, for each one of the sixteen to vote upon this question if they will.

I suggest that in my judgment it is simply a matter of taste upon the part of each and every one of those sixteen, a matter of propriety, for them to judge of, and not for me. But now that I have called Milo H. Dakin's attention to his position I should, gentlemen, with all due deference and respect, think it bad taste on his part if he should give the casting vote "not guilty."

What are the charges here? Two of them are that he solicited money with which to corrupt this Legislature, and did it willfully and maliciously.

They point out the persons from whom he solicited the money: the one, Frederic L. Eaton, who came upon the stand here, and in that particular instance, not forgetting the solemnity of his oath, he tells you here with uplifted hand, before Almighty God, that that charge is not true. When asked by counsel for respondent, "Did Milo H. Dakin, on the day named, or at any other time, or at any place on earth, either directly or indirectly solicit money of you?" Frederic L. Eaton with all the emphasis of his voice, said "No." And again, for greater certainty, the question was repeated to him, and he said, "Neither directly nor indirectly has he ever solicited any money from me. Dakin says the same, and those two persons are the only ones that God has created who can testify to it. Both say no, and no one says yes. That ends that charge, then.

The other is that he solicited in like manner money from John H. Shackleton. Shackleton goes upon the stand and in like solemn manner, and with like emphasis says "It is not true." Dakin says the same. That ends that charge. He stands acquitted then under the unanimous proof in this case on those two charges. Aye, he stands acquitted on them now without your verdict; for the Supreme Court of this State, and of every State in the land that has had occasion to pass upon it, says that where the facts are undisputed there is no question to consider. It is settled.

The other charge is that he willfully and corruptly did, on the nineteenth day of the present month, set opposite the names of certain members of the house, certain figures indicating sums of money for which they might be bribed or bought: Did he? No! He put the figures there, but he did not do it in the spirit in which he is charged with doing it. Now, gentlemen, permit me to call your attention carefully to this matter. Let me say first, however, that I have heard remarks, perhaps from members of the jury, that he ought to be condemned for his foolishness. Gentlemen, that is liable to hit almost anyone (outside of the State of Michigan). It is true that Milo H. Dakin acted unwisely in the matter. But I say, gentlemen, you that know him as I know him and have heard the evidence in this case, have seen him in his simple manners and methods here before you, going out and in all during the present legislative session, and upon the stand, and many of you in the Legislature preceding, cannot say that he acted with an evil design upon one of you.

How then did it come? It came in this way: He had offended one person before he offended the one hundred gentlemen of this honorable body. How had he done it? He had suggested to certain members of the common council of the city of Saginaw where he resides, that a more fit man lived within the city who was capable and willing to fill the position which Mr. Eaton then held; and after seeing Eaton, I think that you would kneel in supplication and lift your voices, if you never did before, to the great God who made us, and beg of Him, if there is none better or more fit there than Eaton, to create one by special means, or otherwise, and place him there. Dakin had suggested the propriety of some other man being the successor of Mr. Eaton as city attorney. Now that was wise, and not otherwise, as every member of this honorable body firmly believes, and yet it was an offense against Eaton. In accordance with that suggestion, whether acting from it or not, almost unanimously, perhaps quite so, the council of his own politics refused to confirm the nomination of the Mayor.

He held his position until the mayor who had nominated him, and been rebuked for so doing, had ceased to live as mayor, and another one who had been in the council the year before, had been elevated by the people of his city to the office of mayor. That new mayor (the old alderman), declined to present Mr. Eaton's name for confirmation as city attorney, and presented another who was at once confirmed, and became Mr. Eaton's successor in office. Mad, with all the venom of his soul he swore by the Eternal he would pursue those two and hound them down. "Like a sleuth hound on the track he's at it." Men do not do things without motive. Aye, we have proven the motive of Frederic L. Eaton, and when he arrived here and entered into conversation himself urging the use of money, if we can believe the evidence in this case at all—he admits that he talked freely about it—he says that he became startled. Startled; aye, startled at the opportunity which he saw to kill three of them at one foul stroke; Dakin, and the mayor who had refused to nominate him, and the alderman who had refused to confirm him; aye, the city of Saginaw he thought owed him that office for another term, and he has got even with Saginaw by trying to blacken her name. Saginaw will live after he is dead and be happy too.

He says that he was startled. He was, but it was at his golden opportunity that he was startled. He tells you it was on account of his own position in the matter. He may now well be startled at his own position in the matter. He has got his foot in it above the waist in my judgment. He tells you that the next object which influenced his course in this matter was to protect the fair name of the members of this Legislature. How did he get at it? He tells you himself that he met Milo H. Dakin and got him into a saloon in this city. He calls it a restaurant. We do not recognize the difference especially where both are run in connection. They had something to drink there, which it seems was an unusual and unheard of occurrence with Milo H. Dakin, that up to half past ten or eleven o'clock that morning he had four drinks of stimulating fluid. It seemed an unfortunate circumstance that every gentleman who came from Saginaw offered to treat Milo until he refused some of them. Eaton was there drinking with him, talking with him about the use of money to get the bill through, and he said he urged it upon him.

And now I am going to take Mr. Eaton at his word, for in this he is corroborated. If he were not I would not take his own word. It might be unfair to him. He tells you that he himself, Eaton, took out of his pocket while he was talking money and the use of it in the Legislature here, a roll call of this House, and urged Milo Dakin first to check the names of such persons as it was necessary for the delegation to meet and to become acquainted with. He urged Milo to check them; and how did he get them on the record? Milo commenced naming some in whom he had confidence, though no special acquaintance or special friendship at all, yet he had seen them and knew their ability, their integrity of character, their influence in the House. But that was not sufficient for Eaton. He wanted a list, and he says, "Don't name them, take my roll call and check opposite their names. Milo, the men that we need to talk with in regard to he matters that are nearest our hearts." And Milo, suspecting no wrong, doing no wrong, put against the names of 15 of the good members of this House a check mark. Now said Eaton: "Milo, put down opposite the names of each of these a figure and we will see how much in the aggregate is necessary to raise a fund here for sociability." And Milo, without the slightest intention on his part, by repeated urging and solicitation, put down the figures. And that is the only wrong Milo H. Dakin has done.

I have heard persons within this hall condemn him and say he ought to be expelled—probably good members of this honorable body—because, when confronted with this he went, at your presiding officer's request, before these 15 men whom Eaton sought to ruin along with Dakin, the mayor and aldermen of Saginaw, and made a confession. If he had not done that he would have been all right. It may seem stupid on his part. It may prove to your minds stupidity; but I tell you, it proves something more, something better than stupidity. It proves honesty. Had Milo H. Dakin any evil intention when he put the figures there or suspected that he had done any wrong or any injury to a friend of his in this House, or any member, or if he had been a cunning rascal like the one that had entrapped him, he would have kept still. Then as now, having nothing that he wished to cover up, though there are some things he regrets. He told the truth, the whole truth, and nothing but the truth. And for that will you condemn him? O, men, is it true that when one frankly owns that he has done you an injury, tells you how he did it, that he is sorry, that you will inflict upon him the greatest punishment within your power? If that is true, how will it reflect upon your own credit? What will you do with the man perchance who acts willfully and then tries to lie out of it. Grade your punishments. Reserve something for the scoundrel and not inflict all upon

the innocent and unsuspecting, even though he has, in his innocence, injured your feelings.

Mr. Eaton said again that he did it for the purpose of saving the reputation of Saginaw and its fair name. He did it to save from reproach the fifty thousand people of the Saginaws, heretofore the most happy and still the most prosperous and virtuous of any community within the borders of this fair State. He did it in their interest? Oh, my friends, I hate a hypocrite. If there is any crime that is great, it is that of hypocrisy. Take them as they are, good people, honest people, influential, happy, prosperous beyond comparison with any other community in this State. How can Eaton save their reputation? Why, by getting the mayor's name here, and then in his letter saying that this was done by the mayor of the city, taking especial pains to point out that it was done by the mayor of the city. Oh, gentlemen, take us as we are; then take us as we would be if instead of us, fifty thousand Eatons lived there. Oh, if that were so, the people that come and go upon the numerous railroads leading into or through those fair cities would hold their noses and in earnest supplication and great suffocation beg for some one to burn a rag. (Laughter.)

I have but a moment more. I ask you to be calm, cool and dispassionate in this matter, and remember this as a final illustration. That if I gain the confidence of a little child that loves its brother, as Dakin has loved you and yet does, and getting the confidence of that child I tell him to take a knife and in an unsuspecting moment thrust it through the heart of his brother, who is the murderer, the little child, who loves one he has killed, even though he did wrong, having no evil intention upon the object of his act, or I? Not the child, but the one alone that suggested the act. I am the murderer, and the child is the martyr. So it is here. Eaton is the one who has disgraced you. He is the one that says "Make a mark," and the mark thereby became his, and not that of the unsuspecting tool that he was using with which to make it. It was Eaton that said put those fatal figures there, and then proclaimed through this world the fact that he has done it. He says he did it in your interest and in the interest of the fair city which he represents. Place the responsibility where it belongs, but in the name of conscience, gentlemen, do not condemn a man here who has heretofore in every office of life borne a reputation for integrity, honesty and good faith of which any of you might be proud. I appeal to your manhood, honor and your conscience, for your careful consideration of this matter. Do I appeal in vain?

SPEECH OF MR. CONDUCTOR GOODRICH.

Mr. Speaker and Members of the Legislature:

I admire the real cunningness of the two gentlemen who have preceded me, but I do not admire so much their logic. The last gentleman upon the floor, although he has made an eloquent address upon this occasion, tells you that Mr. Dakin is a fool, and he pictured it out so plainly that I think perhaps those who are not acquainted with Mr. Dakin will think he really is a fool; and then, in the very next breath, in portraying to you this cunning, deceitful, ingenious, bad man, this Mr. Eaton, he tells you that Dakin floored that man Eaton to beat him up at Saginaw, and hence Eaton has a grudge against him. Oh, what a fool Dakin must be. Consistency is a jewel, they tell me. I like to see a man consistent in his remarks. He very ingeniously undertook to tell these fifteen men who have been brought into disrepute that they better not vote upon this occasion. They have been catching at straws all the way through the trial of this case, and this is one of their nice little points.

I admire the gentleman for straining at every point possible in this case. I do not

see that he has got many. This is one point in the case though. He thinks if he can save Mr. Dakin by the failure to secure 67 votes in this House he has accomplished his work and you cannot expel him, and he appeals to the judgment of these fifteen men, he intimates strongly, by telling them they had better not vote—he does not tell them right out they better not vote, but he tells poor Dakin he hadn't better vote at all upon such an occasion because he is implicated, and he intimates just as strongly to these fifteen men as he does to Mr. Dakin that they hadn't better vote. Why? Because they are implicated too. If anybody has implicated these fifteen men and brought disgrace upon these fifteen men I say that that man is this man Dakin, and if it was the last vote that I ever cast if I was one of the fifteen men I would cast that vote against Mr. Dakin under such circumstances. I want the gentlemen of this House to understand it emphatically. While I think I have got just as much sympathy as any man connected with this Legislature, yet, if any man of this Legislature had brought me into disrepute, and if I had the right to vote against him, if I believed that he had done so, I don't care whether he was a fool or knave, if he was insane I would not care, I would vote against him, and why?

I would vote because article 4, section 9 of the constitution gives me the privilege to expel a member if he is insane, and because I would not want him here. If the people of Saginaw have sent an insane man here, I would say, "We will send him back there to you; we have no use for him here." If they have sent a fool here, I would say by my vote, "We will send him back again, because there is danger of fools falling down stairs here and breaking their own necks." I would send that man back if he was a fool or an insane man. If he was a knave and brought me and this Legislature into disrepute, I would cast my vote against him and send him back to the place where he belongs. That is what I would do. So I hope that the intimation thrown out here by the gentleman so cunningly to the fifteen men will not be received by them, but that every one of them will vote, and that they will not be excused from voting upon this occasion. They are not criminals. If they were arraigned here as criminals there would be a reason for their not voting, but they have a right to vote, and I hope these men will exercise that privilege and that right.

Now as to the first gentleman upon the floor I want to say a little in relation to what he said in relation to this man Eaton. It seems that all their spite is against this man Eaton. My brother Dodge here very eloquently intimated to you and spoke in this way that he hated this man Eaton who gave evidence from that stand. He disliked him, and the language of my brother Dodge was this, I think: "I have enmity in my heart against that man Eaton," and why? Brother Dodge has good reason for hatred in his heart against this man Eaton. Eaton was too much for Brother Dodge. Lawyers feel that way sometimes when a witness gets the start of them. I have had those feelings myself before now. That is just the way Brother Dodge felt. He hates that man Eaton; but he has no other reason to hate him. I want to say right here, by the way, that before the commencement of the trial of this case I had some prejudice formed from what I had heard against this man Eaton, but to-day I have no prejudice against him at all. I believe, Mr. Speaker and gentlemen of this House, that if there is an honest man in Saginaw or the State of Michigan that Fred L. Eaton is that man.

Mr. Dodge—Will the gentleman state why he had a prejudice against him.

Mr. Goodrich—I will before I get through. I will say that I think Fred L. Eaton is an exception to the general run of men, in that he dares to do right. Talk to me of that man pursuing this man Dakin? For what? What earthly object had he in view to

pursue this man Dakin? Can you tell? I ask you gentlemen of this House, in all candor, can you tell from the evidence that has been adduced here to-day and yesterday what object Eaton had or any other of the witnesses here had in pursuing this man Dakin? I cannot see for the life of me what object they could have had in view. They had no earthly object to pursue this man. It is not true. On the other hand, the testimony given upon the part of the committee appointed by this House to try this case corroborated the evidence given by Mr. Eaton. The gentlemen upon the other side say that Mr. Eaton was continually pursuing Mr. Dakin. Take Mr. Smith's statement. He says when they came up here to the capitol and met below in the lower hall that about the first thing that was said was that Dakin began to talk about the mayor going up to Saginaw, for what? To see something about the charter and "to bring some money down or send it down."

He had gone up there for that purpose, and nothing would be done until the mayor got back, with what? With the money. They were anxiously waiting for the money. Did Mr. Eaton say one word in the presence of Mr. Smith about this money, about paying him a single cent? No. But Mr. Dakin approaches him and says that the mayor has gone up there and there will be nothing done about the charter—no, not a thing done about it—until the mayor gets back with the money, and then the thing will move forward, and everything will work right. He has gone up for that purpose, to regulate things a little up there and bring back some money. Does that show that Mr. Eaton was pursuing this man and trying to get him to fix amounts against men's names, and trying to make him a briber, or anything of that kind?

Now, after Mr. Dakin leaves the capitol in company with this other fellow—Fellows—this man above all others I have utter contempt for, and I am not going to say much about that gentleman. From what I have seen of that man, Mr. Speaker, and gentlemen of this House, the very worst wish that I have against that man who has become so low (perhaps it is not bad enough), is that I would just ask him that he pass through the same sentence that was passed upon the serpent in the garden of Eden. That is all I would care to say about this man. A man that will get so low as to become a perfect dead beat, and then try to act in harmony with others who are in power and in authority, I have utter contempt for him. That is all I care to say about this man Fellows. He is a good deal like the mayor up at Saginaw, only he knows more than the mayor, and that is the only difference between them.

Pursuing this man Dakin? We find him going from the capitol down town, and on the corner near Washington St. and Michigan Ave. we find them meeting another gentleman from Saginaw, Mr. Crowley, a respectable citizen. Let me say right here, by the way, if these gentlemen think these men are not credible men, think that Mr. Eaton is not to be credited, and Mr. Crowley and Mr. Smith, and Mr. Tillotson, why in the name of common sense didn't they bring men down from the city of Saginaw and impeach these men, at least Mr. Eaton? They could not do it, they do not dare to make the attempt. Yes, they did try it, they made the attempt, and I am going to tell you pretty quick how they made the attempt. But they met Mr. Crowley down on the corner of the two main streets here in the city and the first thing that Dakin does, in company with this man Fellows, is to talk with this honored and respected citizen, Mr. Crowley, against whom there is not the least suspicion, and they did not dare to raise a suspicion against that man.

They talked with him about what? Why, about money. They are pursuing this man Eaton and this man Crowley all the while, hounding them to death, about what? About money. They have got to have money. The very first thing was, "We want

some money. We can't do anything without the money." And when the question was asked by this respected citizen, as it had been previously asked by Mr. Eaton, "What in the world do you want to do with money? Is it possible for you to use money in the Legislature of the State of Michigan? Is it possible for you to use money among the members of that Legislature?" Mr. Dakin says, "Why, of course it is." They agree upon this matter. Why didn't they attempt to dispute Mr. Crowley when he made this statement. They didn't even ask him if he was not mistaken; they didn't dare to do it, because they knew that he was telling the truth. "Why," this Mr. Dakin says, "of course we can use money among the members of the Legislature." He did not pretend that he could use it in the committee at all, but he could use it among the members, and to excuse himself says that he meant in a social way. Perhaps he used that term then and there; I care not how he used it, if he used it at all, which we believe, and are bound to believe that he did, he did a wrong, and he should be held responsible for that wrong, because by doing so he disgraced the members of this House and the members of the Legislature of the State of Michigan.

To pursue this a little further, they say these fellows are all the while and continually pursuing Dakin. Mr. Smith says that Dakin and Fellows were the first ones that mentioned this money business. The next man that we find that says anything about it is Mr. Tillotson, an honest, honorable, pure man, and he says the same thing too, and tells what Mr. Dakin confesses that he did do. Now, I say that there are four men who stand against this man and say that he did try to solicit money. The gentleman says Mr. Eaton did not claim that he tried to solicit any from him, but when the question was asked Mr. Eaton upon the stand here "Did he try to solicit any money from you," my friend Dodge got the question so mixed up and fixed up in such a shape and changed it and altered it over and over again to suit himself that then Mr. Eaton said no. But it is all straight and in harmony.

Mr. Dodge—The question was "directly or indirectly," and he said no.

Mr. Goodrich—I say after you got it all fixed up to suit yourself he answered the question. They continued to say that this man Dakin was being pursued all the time, yet he and Fellows had made an arrangement to get up a big dance. Now I ask you in all candor, do you believe that? Do you believe one single word in relation to his getting up a big dance at the Eichele House? I don't believe it at all, because Fellows and Dakin contradict each other. Look at the journal and see how they contradict each other. Mr. Dakin said this afternoon that Mr. Fellows said to him, wouldn't it be a good idea for us to get up a dance when the money comes, and he acquiesced and said he thought it would, for the members of the House. Mr. Fellows said yesterday afternoon upon the witness stand that Mr. Dakin said to him wouldn't it be a good idea for us to get up a dance, clear out the dining room at the Eichele House and get up a dance for the members. So you will see they contradict each other. I don't believe they intended to get up a dance at all, but this was made up out of whole cloth after they were caught.

Now in relation to impeachment. I said a little while ago they attempted to impeach Mr. Eaton, and in what way? I have attended a great many courts in my life and I never saw the attempt made before in the way they did it. They put one of our most respected members of this House upon the stand yesterday to impeach Mr. Eaton, and how did they do it and what did it amount to? You heard the statement of Mr. Green upon the witness stand. The intent was to impeach the statements of Mr. Eaton. They proved that Mr. Green was once introduced or introduced himself to Mr. Eaton, and there was the end of the impeachment in that direction.

Mr. Dodge—There is no evidence of that. He said there was no introduction, that they met and each one recognized the other.

Mr. Goodrich—Wasn't he asked the question afterwards if he was sure he had not introduced himself?

Mr. Dodge—I don't know as to that.

Mr. Goodrich—You better look and see. Now I say gentlemen of the House, that that is all that attempt amounted to to impeach Mr. Eaton. To-day they made a more bold attempt. They say, "We have got him now." They didn't dare to bring from Saginaw, his native home as it were, respectable men who are acquainted with his conduct and reputation for truth and veracity in that locality, they did not dare to bring that kind of men here, but they say, "Now we have got him. We have got a Lansing man here that can impeach him sure."

They bring up here a blind man, who swears that he believes he saw Mr. Eaton a week ago last Monday, or two weeks ago last Monday. But Mr. Eaton proved to this Legislature that he was not here in Lansing at all upon that occasion, upon any of those days. And yet they bring this old blind man upon the stand and ask him to impeach this witness. He says three of them came into his office, why he did not know, they walked right into his office in broad daylight and sat down there, they had no earthly errand, they had nothing to do with him at all, they came right in there and occupied his chair and began talking about this man Dakin, and this blind man, who could not see only just one of them and that was that man Eaton, gives evidence as to what was said. Do you believe this boah? I say it is one of the weakest attempts to impeach a witness that I ever heard of, and this House ought to sit down on such actions, and I believe they will.

The first gentleman on the floor said that the press had passed their verdict and judgment upon Milo H. Dakin, and that many of the members of this House and many others had passed their judgment upon Milo H. Dakin, and he thought it was all wrong. They had the right, I say, to pass that sentence after viewing, as they did, his open confession. They did pass it and I believe they will retain it.

Mr. Dodge—What is the object of this trial?

Mr. Goodrich—They do try people sometimes whom they know are guilty. Sometimes they cannot get jurors to try a case because everybody in the community knows that the respondent brought before the court is guilty and they have to remove the case away off to some other place, simply because everybody knows it. But in such a case as this we claim the right to try him. We say that if he has brought disgrace and disrepute upon the members of this Legislature we have a right to try him.

And now, as my time is limited, I want to say to you, gentlemen of this House, that I have not dilated upon the evidence half as much as I would like to do. I have not presented this case with as much vigor and force as I would like to have done. It is because the time is so limited. But there is one duty for me to perform, and I shall perform that duty faithfully and honestly. It is this, that I am going to stand by these 15 men who have been more particularly disgraced than any others in this House of Representatives, and I am going to stand by that man who is my colleague, who is from my own county who has been brought into disrepute. Sooner let my tongue cleave to the roof of my mouth, sooner let me become palsied than I should say that I will not stand up for that man whom we know to be pure and honest. We know him in Ottawa county, and I say that by the grace of God and by the stamina and force that is within me I will stand by that man and see that his fair name and his reputation shall not be defamed by letting this man Dakin go scot free.

And what I would do for him I would do for the rest of these fifteen men. I will stand by them. This man Dakin has brought a stain upon the names of these fifteen men that will follow them. There is not a member in this House but that feels for them. There is not a member in this House that would have the stain that has been placed upon these men placed upon himself. It is not a stain to those who know them, they do not believe any such thing, but I say there is no man in this House to-night who would have the imputation resting upon him that these men have upon them for one thousand or two thousand dollar, unless it is Fellows or the mayor from the city of Saginaw, or some such man. They might have it for one or two thousand dollars, but reputable men would not. There is not money enough in Michigan to hire me to say "Goodrich take that stain upon yourself." And when I think of this I say it is my duty, as a member of this House, to stand in defense of my worthy colleagues and of the fourteen others who are among the very best members of this House. This will be the last time that I shall talk upon this subject.

If this case is held over until to-morrow I shall not say a single word upon the subject further. But I say to you, gentlemen, that I know how I shall vote. I have made up my mind candidly and honestly and squarely, and it is your duty to make up your mind. You have no right to so let feeling carry you away as to say that Mr. Dakin is more sinned against than sinning, you have no right to say this. If he has brought disrepute upon this House, if he has brought disgrace upon this House, that is being published all over the State of Michigan against the members of this House and published all over the United States, expel him.

Mr. Dodge—With the Speaker's permission I will read the testimony referred to by the gentleman.

Q. Did Mr. Dakin ever ask you for any money?

A. When?

Q. Did he ever ask you for any money?

A. Except as I have testified to-day he never did.

Q. You know that that is not a proper answer. I cannot remember what you testified to as you can, but will you please answer me, yes or no, whether or not Mr. Dakin ever asked you for any money on earth?

A. No, sir, he never did.

Q. Directly or indirectly?

A. Directly or indirectly.

SPEECH OF JUDGE VAN ZILE.

Mr. Speaker and Gentlemen of the House of Representatives:

I come to the argument of this case with one fact I think established beyond any question, that my brother who has just preceded me has succeeded, beyond any doubt, in convincing one of the jurors that my client is guilty, and that the honorable gentleman himself. In the time allotted me it will be impossible for me to argue this case that has taken two or three days to produce the evidence, and I shall not attempt to take it up and argue it step by step and charge by charge, or even answer all of the arguments of my friends upon the other side.

There is one thing, however, that my attention is called to at every step, at every sentence, at the close of every proposition that these gentlemen have made upon the other side of this case, and that is rule No. 6 that this House adopted, and I come back to that rule at this time in the argument, for it is still binding upon counsel. It is binding upon the members of this House. It is the law by which this case is to be

tried. That rule is that all the rules legal and usual governing cases of law in courts of record of this State not inconsistent herewith, shall be observed in the conduct of this examination. And now I propose, without telling you anything about any contempt that I have in my heart, for I have none for any of the witnesses nor any of the counsellors, I propose if I can, in the short time that is allotted to me, to stay by the law and the evidence in this case and argue it as well as I can, in my weak way like a lawyer.

What is the law that confronts us? By what authority are we trying this man? We are trying him under one of the articles of the constitution of the great State of Michigan, and in that constitution I read that "Each House shall choose its own officers, determine the rules of its procedure and judge of the qualifications, election, and return of its member, and may with the concurrence of two-thirds of all the members elect expel a member." With the concurrence of two-thirds of all the members elect you may expel a member. The judiciary of this State, or of any other State, so far as I have been able to discover, has never given us any adjudicated cases upon this subject. Probably they never will, because there is no appeal to its higher courts; but here is a case where you have preferred articles against this man, where you have solemnly written in your journal the indictment upon which he is to be tried. It is somewhat in the nature of an impeachment trial, and therefore I had only to go back and hunt out rules that govern the trial of impeachment for a definition of those propositions and those facts that we have to present in this case. It is something in the nature of an impeachment. You are sitting here as a court. The honorable gentleman who has just preceded me told you that you sat as a jury. Yea, as a jury, you do sit, and you sit as a court. It is something then in the nature of a court of impeachment. I shall turn now with your permission to some of the language that is used by one of the greatest jurists that has ever lived in this country and read what he said with reference to the court of impeachment.

I read to you from Story on the Constitution, page 527:

"Section 743. Upon the subject of impeachments something has already been said, in treating of that branch of the Constitution which delegates to the House of Representatives the sole power of impeachment. Upon the propriety of delegating the power it is unnecessary to enlarge. But the next inquiry naturally presented is, by what tribunal shall an impeachment be tried? It is obviously incorrect in theory, and against the general principles of justice, that the same tribunal should at once be the accusers and the judges; that they should first decide upon the verity of the accusation and then try the offenders. The first object in the administration of justice is, or ought to be, to secure an impartial trial. This is so fundamental a rule in all republican governments that it can require little reason to support it; and the only surprise is that it could ever have been overlooked."

I read further:

"Section 745. The great objects to be attained in this election of a tribunal for the trial of impeachments are impartiality, integrity, intelligence and independence. If either of these is wanting the trial must be radically imperfect. To insure impartiality the body must be in some degree removed from the popular power and passions, from the influence of sectional prejudice, and from the more dangerous influence of near party spirit. To secure integrity there must be a lofty sense of duty and a deep responsibility to future times as well as to God. To secure intelligence there must be age, experience, and high intellectual powers as well as attainments. To

secure independence there must be numbers as well as talents and a confidence resulting at once from permanency of place and dignity of station and enlightened patriotism."

Now gentlemen, with these ideas of this great jurist in your minds, I come to this case asking you to lay aside all prejudice, asking you to lay aside all your feelings of malice, if you have any, and I hope there is not a member here that has any, I ask you to approach this impartially. I invoke the great rule that was laid down by the meek and lowly One, do unto this man as you would that he should do unto you. Give to his case that impartiality, that integrity, that intelligence, and all that goes to make up that patriotic citizen who should sit and try a man who is charged with an offense. I have no doubt that you will undertake to do that.

I have not found one single scintilla of evidence that proves one single charge that these gentlemen have made against this man Mr. Dakin. You may talk about your glittering generalities. You may talk about his venal corruption, as my friend says, you may talk about this and that and the other in your general way, but you have made a charge here, and by those charges as legislators you should try this man according to the law and according to the evidence, and if you will do that and strip it of everything else, I shall leave this case content to know that it must result, even though my friend has convinced himself, it must result in favor of my client.

First, it is not the recitals nor the preamble that precedes these charges upon which this man is to be tried. The entire opening of the gentleman (Mr. Goodrich) was upon that preamble. I call the attention of the gentleman who shall follow me, and I know not which one it will be, to the charges one by one, and I now challenge him or any other gentleman upon the opposite side of this case to show me the proof where one single one of these charges is proven. We are only here to answer the charges. We are not here to say that this man's feelings have been wrought upon, that this man may possibly have been slandered or that a libel has been written. You have not yet the jurisdiction to try slanders and libels. You come here with charges specific. Why, it has been rung in our ears from the commencement of this trial to the present hour. "The specific charge No. 1. Article No. 1 of the specific charges," and by the specific charges I ask you to try this man. It is article 1, 2, 3 and 4 in which you have laid this case. There is no violation of the constitution. You have omitted it. You struck it out of your charges. We came up here to defend against that, but on the eve of the commencement of this trial you struck it out. There is no unlawful act. You say there is none by the charges. What else is there? It is that he corruptly solicited money, that he corruptly received money, that he corruptly made a list, and that word corruptly if the key note, it is the key stone that uphold^s these charges, and I say to you that it is as necessary to prove that he corruptly did this as it is to prove that he did it at all.

What is the corruption? Let us turn to the law writers and read the definition. "Corruption, an act done with an intent." That is what corruption is. An act done with an intent to gain some advantage inconsistent with an official duty and the rights of others. Then I go back to this rule, that these gentlemen must prove before you, gentlemen of the jury, they must prove it before you, that this man intentionally did these things as they have charged; and had they left out the word corruption and put in the word intention it would have been charged exactly the same.

What are the charges? That he corruptly received money of Mayor Shackleton. My brother who preceded me and opened this case seems to have abandoned that.

There certainly is no proof of it. That he corruptly received money from Mayor Shackleton to corruptly use with the members.

The second charge they say is proven beyond any question, that he corruptly solicited money of Shackleton and Eaton, ostensibly for corrupt uses. That he made a list of names, that he corruptly represented to Eaton that to secure the vote and influence of members it would be necessary to use with each member certain amounts of money. Now, gentlemen, where is the proof in this case, and in the name of justice, and in the name of the common law, in the name of the great and prosperous State about which we have heard so much, in the name of the grandeur of the Saginaw Valley, are we to condemn this man unless we can point out the truth. I have not read to you all of that article of the constitution. That article of the constitution not only requires that you should vote upon this, but it requires that if you should put your seal upon this man's destiny for the future by expelling him from this House of Representatives, that you shall write the reasons upon your journal and sign your names. And when you write upon your journal that you have expelled this man Milo H. Dakin from this House, if you should write it, you will write down the reasons, and when you take the pen to write the reasons or sign the reasons that are written, ask your consciences in the name of God and in the name of justice, where is the truth that this man intentionally did one single thing that is charged here against him.

Where did he intend to spend money with the members of the Legislature? Where is it that he wrote a list, that he has said or intended to say he could corruptly use money, as the articles read, with each one of those members? If you cannot find it you should never write in the journals of the Legislature of the great State of Michigan those reasons. Write them plainly, write them that they may be read in the light of God's justice, write them that they may be read in the light of your own consciences, write them that they may be read and go down in the history of this grand State of ours that those were reasons coming from the conscience, convinced by the proof and by the law, and not, gentlemen of the jury, that you were convinced or moved because of harangue or that you were moved because of great glittering generalities.

The third charge is that Milo H. Dakin, a member of the House of Representatives from said First District of Saginaw, did corruptly on the 19th day of April, 1887, make a list of names of certain members of the House of Representatives of the State of Michigan, together with the amounts of money necessary to procure the votes and influence of said members—not that he made a list of any other thing, but that he made a list with the amounts of money necessary to procure the votes and influence, not of those men generally, but of each individual man that is in that list. Now where is the proof of that? I say to you without fear of contradiction that there is not a single witness who has taken the stand in this case from the commencement to the end of it that has pretended that Milo H. Dakin said that he could procure the influence of each one of those members by giving to him that amount of money. And this is further a part of the same charge: "That the said Milo H. Dakin did represent to the said Frederic L. Eaton of Saginaw, that to secure the votes and influence of said members it would be necessary to use with each of them the amount of money set opposite their names."

My friends say that this charge is made out. Why, gentlemen of the jury, I appeal to the lawyers of this House, I lay it before the lawyers of this House—and there are some good ones in it too, thank God!—I lay this proposition before the lawyers of this House, that if this case had closed in a court of justice I could go to the judge of the court and move that the defendant be discharged because there was no evidence against

him, under the charges that you have made, and will you try him upon any other charges than those you have made? Are we here to answer anything else than that? If we are, please tell us what the charges are and give us a half chance at least to put in some more proof. With your charges upon the Journal, because following these charges you must write what your findings are and the reasons for them.

I find that I must hurry on. Look at the silly nonsense of the proposition. Milo H. Dakin swears that he has the utmost respect for these gentlemen that he made a list of. The men upon the list are men he respects above all others, and I know from the gentlemen's names that are written here something about that. It is only necessary to repeat the proposition to show that it is the purest piece of nonsense that ever graced a record to say that Milo H. Dakin ever thought that he could take this amount of money that he wrote opposite the names of each of these individuals and influence the vote of that man with it. The idea that he could approach such men as my worthy friend who sits before me, the Honorable T. H. Williams, that he could buy his vote or influence in this House for the paltry sum of \$10, or any other sum of money, or that he could take my honored friend Mr. Rumsey and buy his vote with the amount he has placed opposite his name. Do you think that Milo H. Dakin intended, or that he ever conceived that idea or entertained any such idea, or is it necessary for me to criticize the truth, yes the truth we will call it, that has been criticized by gentlemen, that Mr. Eaton or any other witness in this case has convinced you that that was his intention or idea. But that is the charge upon which he is to be tried.

There is one other thing in this case that is peculiar, and I speak of it not for the sake of casting any stigma or saying any hard thing about any witness in this case. I do not desire to do that. I have practiced law a few years and I have never found it necessary to stigmatize a single witness; but I want to argue this case; I want to draw the picture of this case as it actually is. Will you go with me to the place where this terrible occurrence was, terrible in the mind of my friend, and really it is terrible. Let follow these men and see who they were. Here is Milo H. Dakin, one of them, the principal man in the case. I read in the little red book sent me by the Secretary of State the history of that man. The manual of the State of Michigan contains it, and I hear from the lips of the other actor in that scene at that saloon the history of that man who sat by the side of him. I draw for you the picture. I ask you to look upon it. It has been drawn before you in the proof and now I would hold it up to you and I would stamp it upon your minds so that it will not be effaced when you vote upon this subject.

There sits the graduate, there sits the astute lawyer, there sits the man who is so startled that he is urging this man Dakin to do what would startle him worse than anything that had occurred to startle him, and there on the other side sits Milo H. Dakin, a hard working laboring man, without education, without pretense of education, and possibly not the greatest statesman either that ever graced the hall of the House of Representatives—there he sits, and this wily man asks him those questions, to name these members. name them, Mr. Dakin, name them. Mr. Dakin stops and hesitates. O, there is Mr. A., there is Mr. B. "Go on, Mr. Dakin, go on, you have startled me upon the street, startle me some more. Go on, I urge you to name the names; go on." He does not go on; and in a great flurry he goes down in his pocket or his diary and he takes out a roll of the members of this House. "Now, Mr. Dakin, if you cannot think of the names, take this pencil and mark opposite each name a check." For what? Not to check off the names of the members that you think you can buy for dollars and

cents, not that ; but, Mr. Dakin, mark off by a check mark opposite each one of those names the names of the members that you would desire the most of all to associate with in a social way. That is it. Mark off on that list, Mr. Dakin, the dearest and best friends you have got or would be glad to have, in this Legislature. Mark off those names that you would consider it an honor to sit by their side or be in their society, Mr. Dakin. And he marks them off. And what for? That he might entertain them socially. And that is all the proof there is.

Hold that up, gentlemen of the jury, I ask you by the side of that which is recorded in this case, that Dakin with a wicked, perverse mind intended to corrupt this Legislature and to receive money for corrupt purposes. Mark them off, Mr. Dakin, says this gentleman, this lawyer, this college-bred man, mark them off. And he did mark them off. Not that he could bribe them, not that he could influence them. That was not the proposition yet made. Now, Mr. Dakin, place upon this roll call opposite those names the amounts that you think you ought to have to give these gentlemen this social entertainment, or to use among them in a social way. There was not a single word that escaped the lips of Mr. Dakin. There was not a single intimation that came into his mind thus far nor even after that slip had unfortunately gone into the hands of a man who would betray him as Judas betrayed his master. Up to that time not a single word or sentiment of that kind had escaped him. But he did mark down the amounts, and in the way that I have pictured it, not with the intention of corrupting any single member of this Legislature. And then he took that list and put it in his pocket and before they got up to go it was that this man, not willing to leave the list with him, said "Give me the list."

And Dakin gave it to him, not knowing, as he swore upon the stand, and I believe every word he said, that there was anything wrong done. He is an honest man, sworn to be so by everybody. Not a man has said anything to the contrary. And then that man Eaton took that list and went out, and he brooded over it, aye, he laughed over it, and in his pocket he knew that he had that that might be used, and until Dakin had met a friend indeed he never dreamed that it was wrong, and when he undertook to get it back he could not. This man who had been so startled was afraid to give it up. Suppose I should draw the picture of one of my friends in this House, if it is possible that such a thing can occur between us, and he should undertake to mark off such a list in my presence, what would you expect of me? I would put my hand upon his shoulder and say, "Do not do that any more; tear it up." Gentlemen, did this learned graduate from the college, this astute lawyer do that? No, he never, from the beginning to the end thought he should do such a thing as that. He never called a halt, although he said that he gave it to the Speaker of the House of Representatives because he thought a halt ought to be called in this kind of a thing. Why did he not call the halt before it went into the public press, and before we had this trial in this House.

But my time is nearly up. As I said you have to write in this journal of yours the reasons why if you say that this man must be found guilty and punished. Write it with a second sober thought if you write it at all. If you say by your verdict in this House that my friends and my opponents here in the trial of this case, who have prosecuted this man so zealously are right, write it that it may be read by the generations that are to come, not in hot blood, not in excitement, not by being prodded on by harangues and glittering generalities, but write it with a second sober thought, with a reason that comports every word, every sentence, every sentiment with the law and the evidence that was given. Write it gentlemen of the jury, if you should write it all,

write it with the beneficent mercies of God Almighty shining down into your hearts ; write it from your consciences ; write it in the name of justice ; write it in the name of the great and beneficent laws of this land ; write it because you can defend every single word of it and be sure that there is not a sentiment welling up in the hearts of a single individual of you that is prompted by anything like malice or ill-feeling or by anything different from what I have undertaken in this my weak way to picture to you, in the name of justice tempered by the mercies of God.

SPEECH OF MR. DIEKEMA.

Mr. Speaker and Members of the House of Representatives :

This is indeed a very trying position that I am now about to occupy in closing the discussion upon this case. Michigan has always pointed with pride to the incorruptibility of her legislators. Rumor has it that other Legislatures have been bought for money, but the confidence of the people of the State of Michigan has never yet been shaken in the integrity of her law-makers. During the past week, however, the leading newspapers of the land have pointed with significant pride to the fact that while great sums have bribed their Legislatures, Michigan this year had a very cheap House of Representatives. This cloud is hanging over us, and we have taken three whole days to let the sunlight of truth shine in upon the matter in the most public way. I feel that it is a trying position for the members of this House to sit in judgment over a fellow member ; but I congratulate Mr. Dakin that he is in the hands of his friends. For through our intercourse here this winter ties of friendship have been formed that unite us all together ; but friends they are whose sense of justice and responsibility to God and State and home, rises high above all prejudice and above all feeling. This House, if it had not desired to treat this matter considerably, coolly and deliberately, as has been suggested, might have rushed through a resolution expelling this member the first evening when this matter was exploded ; but in our sense of justice we have given him a public trial, we have allowed every one of those who must finally sit in judgment upon him to listen to the evidence, to see every witness. We have allowed the ablest attorneys in the State to stand before us in defense of this man for three long days, and we have this evening listened to their eloquent arguments.

It seems to me that no one could now say to this Legislature that we have been hasty in the matter. I for one could not see how we could have been more calm and deliberate, and I enter into the discussion of this subject this evening with no feeling of hatred toward Mr. Dakin, rather with feelings of sympathy ; but I feel that the dignity and honor of the House of Representatives of the State of Michigan is at stake, and no one man, however sorry I may be for him, can or may cast a blot upon its fair fame.

I desire as my brother who has gone before me said he would do, to discuss this matter as a lawyer and upon the evidence. And I desire to show you that Mr. Dakin is guilty under the second and third articles of these charges that we have preferred against him.

Article 2 reads as follows:

ARTICLE II.

"That said Milo H. Dakin, member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, and of his oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times, between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from said John H. Shakelton, mayor of Saginaw City, from Frederic L. Eaton of Saginaw, and from various other persons for the purpose ostensibly of corruptly using such money among the members of the House of Representatives of the Michigan State Legislature, to influence their

votes in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committees on labor interests and municipal corporations of said House of Representatives, but in fact for the purpose of corruptly and unlawfully appropriating all or a part of such money for his own personal use and benefit."

Allow me to say that I find him guilty under this article, in the light of the evidence that is before us. I shall not discuss the evidence of Mr. Eaton. It stands plain and clear before the minds of all of you. He says that when he first came here Mr. Dakin was the first man who suggested money to him, and said it was necessary to receive money to get the bill through. He said that in the second place, upon the street corner Mr. Dakin again broached the matter of money first, and the same thing took place in the stall at the Windsor.

But, gentlemen, allow me now to discuss the testimony of other witnesses. The second witness who was introduced here on the part of the committee prosecuting Mr. Dakin was Mr. Jay Smith. I have his testimony here, in very short language. Let me read it to you. He says that he stood with Mr. Eaton, Mr. Fellows and Mr. Dakin here in the capitol, and this is what he testified to :

"A. I will come to it in a moment. Dakin stated that he expected Mr. Shackleton would fetch some money with him, but he only brought a little. He had given him some but it did not amount to anything, it was all gone. Mr. Eaton then asked him what he wanted to do with the money and he said he wanted to use it in getting the charter bill passed the House. Mr. Eaton asked him what the trouble was, whether there was any difficulty with the committee or whether he wanted to use the money with the members of the House. His answer was that he wanted to use it with the members of the House.

"Q. Did he say that he wanted to use it with the members of the House for the purpose of getting the charter bill through the House? Was that the language that he used?

"A. Mr. Eaton asked him if he meant to be understood that there were legislators whose votes could be obtained by the use of money. His answer was, 'Of course.'"

This is the testimony of Mr. Smith. Have you heard one of the attorneys say a single word against this witness? Has the Hon. Judge Holden in any way suggested that Mr. Smith was not an honest, upright man? Smith, who has lived in the city of Saginaw for thirty-five years, and with whom Judge Holden is certainly intimately acquainted. He has not mentioned even his name. Now, here is a man who has no prejudice against Mr. Dakin whatever, a man pure and upright and honest. This is his testimony, and the lawyers of Mr. Dakin do not even make a single remark about it. I ask you then, if Mr. Eaton had said nothing and if we had simply the testimony of Mr. Smith, whether there is not sufficient proof of guilt?

Here is the testimony of Mr. Crowley. Remember Mr. Eaton had not seen Crowley at all that morning; and in Mr. Dakin's confession before the committee he states that Mr. Crowley is an honest man and will make a fair statement. Let us see what fair and honest statement Mr. Crowley makes :

"Q. Did either of them say what they had gone to Saginaw for?"

This was on the street corner before Eaton had seen Crowley.

"A. Yes. I think Mr. Fellows took a document out of his pocket with some writing on it and said that Linton and Shackleton had gone to Saginaw to make some arrangements in regard to Florence, that Linton had promised Shackleton that if he would agree to some matters in the interest of Florence in regard to some improvements that ought to be made upon it provided it came into the City of Saginaw, and pay for some improvements already made for Carleton, that he would not interfere with our charter, providing Mr. Dakin would assist him in this charter."

"Q. What was said in relation to the mayor's going there?"

"A. Then I think Mr. Dakin said 'We ought to have some money to-day.' I says 'What to do?' He says, 'Well, to work while Linton is away.'"

"Q. To work at what?"

"A. I don't know as it was said any more than the supposition was in the interest of the charter."

Here is the testimony of Mr. Crowley. The first man that mentioned money on the street corner was Mr. Dakin, and he said, "We ought to have that money to-day to work on the charter while Mr. Linton is away." And when on cross-examination I asked Mr. Fellows, "Were you present when this conversation took place, and did Mr. Crowley tell the truth when he said Dakin said 'We ought to have the money to-day, while Linton is away,'" he replied, "I remember some conversation of that kind." What were Dakin and Fellows doing that day? The Legislature was in session, but they were walking up to North Lansing. They were walking about the streets of Lansing. They were going to the telegraph office to see whether some money had been telegraphed to them. On this very day, when it was necessary to use money to get the charter through, they did not even make their appearance in the House of Representatives. When there was a chance to work honestly with the members, they never once appeared. If they put the interpretation upon it that the money was to be used in a social manner, that was the day for Mr. Fellows to use the five dollars given to him in the morning by the mayor. Dakin had two dollars given to him in the morning, and they had seven dollars between them to use on that day for social purposes, if they had intended it for any such purpose. But instead of that Mr. Dakin takes out his two dollar bill to-day, and says he has that money yet in his possession. If it was intended for cigars or liquor, it certainly would have been used during the day. But instead of that not a single word was said to any member of the House in relation to this charter. So much for the testimony of Mr. Crowley upon this subject.

But I go on still further. Mr. Crowley says towards the close of his examination

"A. I thought like this. The amount set down opposite those men's names, footing it all together, if that money was raised it would be for the benefit of Mr. Dakin and Mr. Fellows and these members would never hear of it. That was my opinion."

Mr. Dakin has said that Mr. Crowley is an honest man and will make a fair statement. Here is his statement:

Mr. Levi Tillotson happened to come into Lansing that day and you will see that Tillotson had no conversation with Eaton at the time, had not seen him. Let us see what conversation took place with Tillotson. Here it is:

"Q. Do you remember of having a conversation with Mr. Dakin and Mr. Fellows upon that occasion?"

"A. Yes, sir."

"Q. State what the conversation was."

"A. I met Mr. Fellows and Mr. Dakin, and after the usual greeting I asked them how matters stood in regard to our charter. They said they thought things looked very favorable, and that they needed some money to carry it through."

Mr. Tillotson had never breathed the subject of money. Tillotson had not seen Eaton. The able attorneys would make you believe that Eaton was leading this man on when he himself is suggesting money to every Saginaw man he meets upon the street. I will read further:

"Mr. Holden—I want to know which one said that."

"A. Mr. Fellows."

"Mr. Holden—I object."

"Q. Was Mr. Dakin present?"

"A. Yes, sir."

"Q. Proceed."

"A. Mr. Fellows spoke and said that they would have to have some money in order to get the matter through, and that Mr. Shackleton had not brought any money down to amount to anything. I think he spoke and said about ten dollars, and after a while he said that Mr. Shackleton gave him five dollars, and Mr. Dakin two. Then Mr. Dakin

told me that he had given Mr. Eaton a certain statement or list of names ; that it would take money to use to get that charter through. I said to him, " Mr. Dakin, in the name of God, you didn't do that." He says, " I did." I said, " you had better go and have it straightened at once, for you will get into trouble."

Here is the testimony of three witnesses who are entirely unprejudiced, and with whom Mr. Eaton had not had a word of conversation. And I ask you, gentlemen, in all sense of honor, why was Dakin suggesting money at every step? I say that he is guilty under this charge. No one of us believes—and he himself disavows—that he intended to use it among the members in any way except for that feast at the Eichle House, and that matter is so ridiculous that I will not discuss it.

But it has been suggested that we have not proved that he solicited money. Mr. Dakin was put upon the stand and he used this language: " I expected all of them to furnish it."

" Q. Whom do you mean by them?"

" A. Mr. Eaton and Mayor Shakleton."

And he mentioned the members of the committee from Saginaw that were present. On another occasion he says " I expected the city of Saginaw to furnish it." Again he said that his statement made in the Speaker's room was true except in one particular, and that was the statement that he had not seen Mr. Eaton down below in the capitol. Let me read to you then one of the statements that he says is true :

" I expected the mayor of Saginaw would raise the money. I expected him to hand the money to me. I told Mr. Eaton that he, Eaton, if he had any money could hand it to Fellows and I would get the money of Fellows. I do not think it would be wrong to take this money even though I did not expect to influence votes."

Mr. Dakin admits here that he expected money, that he expected it of the mayor, and that he expected it of Mr. Eaton and others ; and in proof of that we have introduced testimony that they went to the telegraph office to see whether any money had been sent.

But it has been suggested by the learned counsel that under section nine of article four of the constitution we cannot convict until we have proved a crime. He says further that this Legislature cannot try a libel. He is evidently, although a very learned man, very badly mistaken here. If one of the members libeled another member we could at once expel him.

But do not take my statement upon this article of the constitution. During the constitutional convention of 1867 a very full discussion took place upon this section of article four of the constitution. Here is some of the language used by some of the most learned men this State has ever had. In the first place Judge Withey, now dead, says :

" I believe the only safe rule to be that the Legislature should possess at all times, the power to purge itself of improper members."

Mark the words, " improper members ;" of persons who for any cause, may be unfitted to occupy seats in the Legislature. I believe there is no other safe rule than that.

The question here arose upon striking out the last clause that a man could not be expelled again after his constituents had returned him. The reason stated for this was that it is the only protection the people have. They go on to say in the debate that at a certain time in the English parliament a man was expelled simply because he held liberal views. He was expelled three times, and three times returned by his constituents, and for that reason it was put into the constitution that a member could not be expelled again for the same cause. But there is no limit upon the power of the Legislature in the respect claimed by the learned counsel for the respondent. In expelling any member no crime need be shown. Any misconduct upon the floor of the House is sufficient if the members think so.

Let me read to you again another statement made by Mr. Vanvelkenburgh :

"I think every deliberative body should have the power to protect itself against the intrusion of men who are unfit to be admitted into that body."

And Mr. G. V. N. Lothrop makes statements of the same kind.

It is very plain and clear from these discussions that these learned men thought that there was no limit to the power of the Legislature to inflict this punishment, if it saw fit.

It seems to me that I have made it very clear as a lawyer that under the second of these articles we can convict Mr. Dakin.

But here is article three. I shall not read it. It accuses him of corruptly placing opposite the names of certain members certain amounts of money, and in that way bringing their good names into disrepute. Nobody can question the fact that their good names have been brought into disrepute. Nobody can question the fact in the light of the evidence we have that Mr. Dakin did write those figures, and that he had been talking to every one about money. After Mr. Eaton asked him "How much do you want?" he could not answer how much. "With what members do you expect to use the money?" was the only question that could follow, if he would not state how much he wanted. Then he named certain men and stopped again. Then Mr. Eaton took out of his diary—he is very plain upon that—this list of names, and he said "Check them off," and after he had checked seventeen names he asked him again "How much money do these seventeen men need?" Then no answer was made. Eaton then said "Place the amounts opposite each name." And here we have the list. And when this afternoon Mr. Dakin was asked "Why these differences, why five dollar men and ten dollar men and one twenty-five dollar man, if you only intended to have a feast?" he said "I can't explain it."

But here is another fact that we must not forget. Mr. Crowley suggested, "Mr. Rumsey \$25.00?" and Mr. Crowley says that Dakin replied, "Yes, and he will be a cheap man at that."

Can we in any way come to but one conclusion, and that is that he intended to use and appropriate this money? No one will for a moment believe that any one of these men would have received for a social purpose or otherwise one single cent of this money.

But I will not go so far. I desire to state here that I do not believe that Mr. Dakin intended to keep all that money himself, but I believe that this man Fellows who testified that he had spent thirty dollars above all ordinary expenses during his visit, and that he had spent that amount for beer and cigars, was in league with him. And when, instead of remaining in this House, where they might have done something in a legitimate way, they walked to North Lansing, I believe that all that time this man Fellows was suggesting to Dakin and breathing in his ear, "Money, money, money." And listening to those suggestions, there was perhaps but one result, to divide the money between Fellows and Dakin.

I am sorry we cannot punish Fellows. I am also sorry for poor Dakin. God knows I am sorry for him; but the reputation of ninety-nine men sitting here in the legislature of the State of Michigan should rise high above all feelings of mere sorrow for one man. I can do nothing more than to ask every member upon the floor of this House to read and weigh carefully the testimony and then, in the discharge of his duty, under the oath of office that he took at the beginning of this session, decide whether he shall protect the good name of the State of Michigan and of her legislature, or whether his sympathies for one man, who himself confesses that he has done wrong, shall mislead him.

Mr. Herrington moved that the first of the specific charges against Representative Dakin be stricken out,

Which motion prevailed, two-thirds of all the members elect voting therefor.

Mr. Grenell offered the following affidavit and resolution:

STATE OF MICHIGAN, } ss.
COUNTY OF INGHAM, }

In the matter of articles exhibited on behalf of the special committee House of Representatives of the State of Michigan appointed April 20, 1887, against Milo H. Dakin, member of said House of Representatives, from the First Representative District of Saginaw County, in relation to the charges made against him, for misfeasance, malfeasance, or venal or corrupt conduct in office.

Milo H. Dakin being duly sworn, deposes and says: I am the same person against whom said articles are exhibited and now pending before said House of Representatives. My property consists of a house and lot in the city of Saginaw which I purchased some six or seven years ago for the sum of \$450 and upon which there is a small mortgage unpaid, and the ordinary household goods of a laboring man of the value perhaps of two or three hundred dollars. Said house and lot are occupied by me and my family as a homestead, aside from the property above mentioned. I have no property or means with which to employ or pay counsel to aid me in my defense against said charges.

I deem it necessary that counsel be employed and paid to aid me in making my defense in this matter, and ask that a reasonable appropriation be made for that purpose.

MILO H. DAKIN.

Subscribed and sworn to before me this 26th day of April, 1887.

EDWARD O. KELLEY,

Notary Public, Ingham County.

Resolved, That the sum of two hundred dollars be and is hereby appropriated for the purpose of enabling Representative Milo H. Dakin to pay counsel in defending him from the charges preferred against him for misfeasance, malfeasance, or venal or corrupt conduct in office,

After the reading of which,

On motion of Mr. Hoaglin,

The resolution was laid on the table.

Mr. Herrington moved that there be a call of the House,

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Mr. Hill.

Mr. Herrington moved that the vote on the charges be taken, as under the call, with the bar of the House closed.

Which motion prevailed.

The second of the special charges was then read by the Clerk, and

The Speaker announced the question to be,

Has the charge been proven.

The charge was then declared proven by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Killean,	Mr. Robinson, R.,
Allen,	Crocker,	Kirby,	Rogers,
Anderson,	Cross,	Lakey,	Rounsville,
Ashton,	Damon,	Lincoln,	Rumsey,
Baker, S.,	Diekema,	Linton,	Simpson,
Baker, W. A.,	Dillon,	Makelim,	Spencer,
Baldwin,	Dougherty,	Manly,	Stuart,
Bardwell,	Douglass,	McCormick,	Thompson,
Bates,	Dunbar,	McGregor,	Tindall,
Baumgardner,	Eldred,	McKie,	VanOrthwick,
Beecher,	Engleman,	McMillan,	Vickary,
Bettinger,	Goodrich,	Mulvey,	Vroman,
Bentley,	Harper,	O'Keefe,	Watson, F. H.
Breen,	Haskin,	Oviatt,	Watson, H.
Burr,	Herrington,	Perkins,	Watts,
Cady,	Hoaglin,	Pettit,	Webber,
Cannon,	Hoobler,	Pierce,	Williams, T. H.
Case,	Houk,	Preston,	Williams, W. W.
Chamberlain,	Hunt,	Reader,	Wood,
Chapell,	Jones,	Rentz,	Speaker,
Chapman,	Kelley,	Robinson, J. W.	83

NAYS.

Mr. Green,	Mr. Hosford,	Mr. Powers,	Mr. Wellman,
Grenell,	Ogg,	Snow,	Wilson,
Holt,	Pardee,	Washburn,	11

Mr. Grenell, when his name was called, said:

I wish to explain my vote. I find in article two that Mr. Dakin is accused of soliciting money from two persons, Mr. Shackleton and Mr. Eaton. I find that in the testimony both Mr. Shackleton and Mr. Eaton swear that Mr. Dakin never asked them for any money. I therefore vote no.

Mr. Hosford, when his name was called, said:

I ask leave to explain my vote. It was stated once by a very prominent man that he would rather be right than president. I never expect to have an opportunity to be president, but I do expect to have opportunities to do right, and I believe I have one of those opportunities this evening. In the vote that I am about to cast I desire at this time to disclaim any kind of reflection upon the fifteen distinguished members of this body who have been unfortunately connected with this matter. I believe that they are men who render high honor to their constituents and high honor to the State, but Mr. Speaker, I do not believe that it writes their names any higher upon the roll of honor to trample this poor worm Dakin in the dust. I cannot see it in that way, and if I am the only member of the House I shall upon this proposition vote no. (Applause.)

Mr. Ogg, when his name was called, said:

Mr. Speaker, I beg leave to explain my vote. I do not wish to go into any details, but for the reasons expressed by my colleagues from Detroit, I vote no.

Mr. Herrington, when his name was called, said:

Mr. Speaker, I desire to explain my vote. Having been one of the committees in

charge of this investigation, I should not have voted if gentlemen had not demanded that I should vote. I shall vote aye.

Mr. T. H. Williams, when his name was called, said:

Mr. Speaker, I desire to explain my vote. I had hoped I would not be asked on this occasion to cast my vote either way. I had my mind made up as to the guilt or innocence of the man who has been on trial for the last three days, but being one of the number who had the figures set opposite their names, I desire to let the members of the House say whether this man was guilty or not, without calling upon us to vote upon the question, and for that reason I have refrained so far from voting; but if I am obliged to vote, I shall say to you, sir, that I believe that this man is guilty, and I shall vote aye.

The third specific charge was then read by the Clerk, and

The Speaker announced the question to be,

Has the third specific charge been proven?

The charge was then declared proven by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Lakey,	Mr. Rogers,
Allen,	Diekema,	Lincoln,	Rounsville,
Anderson,	Dillon,	Linton,	Rumsey,
Ashton,	Dougherty,	Makelim,	Simpson,
Baker, S.	Douglass,	Manly,	Snow,
Baker, W. A.,	Dunbar,	McCormick,	Spencer,
Baldwin,	Eldred,	McGregor,	Stuart,
Bardwell,	Engleman,	McKie,	Thompson,
Bates,	Goodrich,	McMillan,	Tindall,
Baumgardner,	Green,	Mulvey,	Van Orthwick,
Beecher,	Grenell,	Ogg,	Vickary,
Bettinger,	Harper,	O'Keefe,	Vroman,
Bentley,	Haskin,	Oviatt,	Washburn,
Breen,	Herrington,	Pardee,	Watson, F. H.
Burr,	Hoaglin,	Perkins,	Watson, H.,
Cady,	Holt,	Pettit,	Watts,
Cannon,	Hoobler,	Pierce,	Webber,
Case,	Hosford,	Powers,	Wellman,
Chamberlain,	Houk,	Preston,	Williams, T. H.
Chapell,	Hunt,	Reader,	Williams, W. W.
Chapman,	Jones,	Rentz,	Wilson,
Cole,	Kelley,	Robinson, J. W.	Wood,
Crocker,	Killeen,	Robinson, R.,	Speaker,
Cross,	Kirby,		

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NAYS.

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Mr. Grenell, when his name was called, said:

I wish to explain my vote. I believe that when Milo H. Dakin put opposite the names of honorable members of this Legislature figures designating dollars he was unmindful of the high duties of his office. I therefore vote aye.

Mr. Holt, when his name was called, said:

Mr. Speaker, in regard to this specific charge, there is no question I think that Mr. Dakin, without any authority, without any right of any sort or reason brought the names of fifteen members of this House into disrepute. It was done with some evil

intent. Whether we have found that intent I am not entirely certain, but I think there is no question in the mind of any one that he slandered those fifteen members. They are all men, in my opinion, above reproach. Four of them are on the judiciary committee with me. I believe that everyone of them is strictly honest and strictly correct in all their deportment. I will stand by them to-night and at all times as I would stand by a brother, and I vote aye.

Mr. Ogg, when his name was called said :

Mr. Speaker, the newspapers have told us in the last two or three days that the Knights of Labor in the House were going to stand by Mr. Dakin at all hazards. I belong to that order and you have all known that I have taken a prominent part in labor legislation in this House, but at the same time I have never allowed my sympathy to run away with my judgment. I believe this is the only charge of the four of which Mr. Dakin is guilty. I vote aye.

Mr. Hosford, when his name was called, said :

Mr. Speaker—I would refrain from voting, not because I do not desire to cast my vote, but because I do not desire to bore the House with another explanation. I do not think that when Milo H. Dakin talked about a banquet at the Eichle House he talked about a thing in which he did not believe, and I do not think that the influence at a banquet depends upon the amount of money expended for it or the place where it is given. No one questioned the motive of the honorable Senator from Houghton who gave a magnificent spread at the Lansing House not long since. Milo H. Dakin is not a distinguished or able man and in his small and somewhat silly way he fancied a banquet could be given at the Eichle House which all the members and their wives could attend, and I do not think that any different influence could have been contemplated by a banquet at the Eichle House than a banquet at the Lansing House or that any legislator would have thought such a banquet was improper ; but I find this charge made, that Milo H. Dakin did represent that to secure the votes and influence of said members it would be necessary to use with them the amount of money set opposite their names, thereby bringing the good name and character of said members into ill-repute, and that portion of the charge is unqualifiedly true. I vote aye.

The Speaker—The chair has had handed to him the following communication:

The committee on the part of the House waive any vote on the fourth article, believing that the charge is not sustained by the evidence.

A. R. CHAPMAN, *Chairman*.

Mr. Herrington moved that the fourth specific charge be stricken out and no vote taken thereon,

Which motion prevailed, two-thirds of all the members elect voting therefor.

Mr. Baumgardner—I desired to explain my vote and intended to do so when my name was called on this charge.

The Speaker—If there is no objection the gentleman will be allowed to explain his vote.

Mr. Baumgardner :

Mr. Speaker—I can conceive of no more unpleasant duty that the members of a State Legislature could be called upon to perform than that which we are called upon to perform to-night. God knows that I feel great sympathy for Mr. Dakin, but I believe that feelings of sympathy should not stand in the way of our doing our duty to the State, should not stand in the way of our doing our duty to the honorable gentlemen whose

good names have been brought into disrepute by Mr. Dakin having made out that list of names and placed the prices beside them. I would be the last man on earth to cause a single pang of pain to any human heart. I have every sympathy in the world for Mr. Dakin, but duty compels me to vote as I have because I believe that the charges have been sustained by the evidence here presented.

Reference has been made by one member when he explained his vote to a report which has been circulated in this House since the trial began, that the Knights of Labor members intended to stand by Mr. Dakin, no matter what the evidence might be. I think that the way the Knights of Labor have voted on this question has hurled the lie back into the face of the man who started that report. I vote aye.

Mr. Crocker offered the following resolution :

WHEREAS. The following charges were preferred against Milo H. Dakin, a member of the House of Representatives of the first representative district of Saginaw county, on the 26th day of April, 1887, to wit:

SPECIFIC CHARGES.

Articles exhibited on behalf of the special committee of the House of Representatives of the State of Michigan, appointed April 20, 1887, against Milo H. Dakin, member of the said House of Representatives, from the first representative district of Saginaw county, in relation to the charges preferred against him for misfeasance, malfeasance, or venal and corrupt conduct in the office.

ARTICLE I.

That said Milo H. Dakin, member of the House of Representatives, from the first representative district of Saginaw county, unmindful of the high duties of his office, and of his oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times between the day of taking his said oath of office and the time of the preferring of said charges, receive from John H. Shakelton, Mayor of Saginaw City, certain sums of money for the purpose of corruptly using the same among the members of the House of Representatives of the Michigan Legislature in influencing votes for the passage of a bill to amend the charter of Saginaw City then pending before the committees on labor interests and municipal corporations of said House of Representatives.

ARTICLE II.

That said Milo H. Dakin, member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, and of his oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times, between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from said John H. Shakelton, mayor of Saginaw City, from Frederic L. Eaton of Saginaw, and from various other persons for the purpose ostensibly of corruptly using such money among the members of the House of Representatives of the Michigan State Legislature, to influence their votes in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committee on labor interests and municipal corporations of said House of Representatives, but in fact for the purpose of corruptly and unlawfully appropriating all or a part of such money for his own personal use and benefit.

ARTICLE III.

That said Milo H. Dakin, member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, and of his oath of office, did corruptly, on the 19th day of April, in the year A. D. 1887, between the day of taking his said oath of office and the preferring of said charges, make a list of names of certain members of said House of Representatives, of the State of Michigan, together with the amount of money necessary to procure the vote and influence of each of said members named in said list, in favor of the passage of a bill to amend the charter of Saginaw City, then pending before the committees on labor interests and municipal corporations jointly, to wit:

S. Baker, \$5.
Baldwin, \$5.
Bently, \$5.
Burr, \$5.
Crocker, \$10.
Diekema, \$10.
Dunbar, \$5.
Engleman, \$5.
Herrington, \$10.
Manly, \$10.
McCormick, \$5.
O'Keefe, \$5.
Perkins, \$10.
Rumsey, \$25.
T. H. Williams, \$10.

And that said Milo H. Dakin did represent to said Frederic L. Eaton, of Saginaw, that to secure the votes and influence of said members it would be necessary to use with each of them the amount of money set opposite his name, thereby bringing the good name and character of said members into ill-repute.

ARTICLE IV.

That said Milo H. Dakin, member of the House of Representatives from said first representative district of Saginaw county, unmindful of the high duties of his office, and of the oath of office, did corruptly, on the 19th day of April, A. D. 1887, and on divers other days and times between the day of taking his said oath of office and the preferring of said charges, solicit and endeavor to procure money from John H. Shakelton, Mayor of Saginaw City, Frederic L. Eaton, and from various other persons, for the purpose of corruptly using such money so obtained among the members of the House of Representatives of the State of Michigan, to influence their votes and efforts in favor of the passage of a bill to amend the charter of the city of Saginaw, then pending before the committees on labor interests and municipal corporations jointly, of the House of Representatives of Michigan.

Dated, Lansing, Mich., April 26, 1887.

A. R. CHAPMAN,
JOHN V. B. GOODRICH,
H. W. THOMPSON,
A. B. PIERCE,
B. A. SNOW,

Committee on behalf of the House of Representatives.

AND WHEREAS, The said Milo H. Dakin did on the 26th day of April, A. D. 1887, appear before the committee preferring the said charges and before the House of Representatives of the State of Michigan, and thereupon and for several days following the said committee in the presence of the said House of Representatives, they being in session with the Speaker in the chair, did proceed to investigate the said charges and allegation heretofore set forth, and the said Milo H. Dakin did appear with his attorneys and answer said charges, and after listening to the evidence and the argument of counsel, the said House of Representatives did on the 28th day of April, A. D. 1887, find the said Milo H. Dakin guilty as charged in articles two and three; therefore be it

Resolved, That the said Milo H. Dakin be expelled from the House.

MR. CROCKER.

Mr. Speaker, I wish to explain that resolution and also some points that may bear upon it. And first I will have the audacity to answer one proposition made by the learned counsel for the defense, Mr. Van Zile, in this case, in which he said that when we cast our final vote upon this question we would have to give our reasons and have them spread on the journal of this House and sign that journal, as I understand him, below the reasons that we should give. I think that my friend labored under some misapprehension on this subject. First, he spoke of impeachment. Now, we do not impeach members of the House of Representatives, or of the Senate. Neither do we impeach members of Congress or of the United States Senate. We simply impeach Governors, judges of courts, and other State officers. The proceeding in a case of this kind is entirely different. And in order that every member may be satisfied on that point I will refer to the constitution of this State. Article 4 section 9 reads as follows:

"Each House shall choose its own officers, determine the rules of its proceedings, and judge of the qualifications, elections and returns of its members; and may, with the concurrence of two-thirds of all the members elected, expel a member. No member shall be expelled a second time for the same cause, nor for any cause known to his constituents antecedent to his election. The reason for such expulsion shall be entered upon the journal, with the names of the members voting on the question." The proposition is voted on just the same as any other question might be.

As to the propriety of a resolution of this kind, I would say that many instances of expulsion have occurred in the United States Senate and also in the House of Representatives at Washington. I would state that on the occasion of the expulsion of the Hon. Benj. G. Harris, a member of the House of Representatives from the State of Maryland, the proceeding was a very simple one. Mr. Washburn of Illinois offered the following:

"WHEREAS, Hon. Benj. G. Harris, a member of the House of Representatives of the United States from the State of Maryland, has on this day used the following language, to wit: 'The south asked you to let them go in peace. But no, you said you would bring them into subjection. That is not done yet, and God Almighty grant that it never may be. I hope that you will never subjugate the south.'

And WHEREAS, Such language is treasonable, and is a gross disrespect of this House: Therefore be it

Resolved, That the said Benj. G. Harris be expelled from this House."

And thereupon, as that language was used in the House of Representatives, they proceeded to discuss the matter then and there and took a vote upon it; and as the vote determined that that language was treasonable and a sufficient number of members voted for the resolution, Mr. Harris was expelled.

Now as to the question which may arise in the minds of some whether Mr. Dakin should be here present when the vote is taken. I would simply say that the record in the Congressional Globe shows that many men who took part in the war during the late rebellion on the southern side were expelled when they were not present in congress. I will cite one instance of this: On Dec. 4, 1861, the following resolution was offered in the United States Senate:

"WHEREAS, John C. Breckenridge, a member of this body from the State of Kentucky, has joined the enemies of the country and is now in arms against the government he has sworn to support, therefore"

"Resolved, That the said John C. Breckenridge, the traitor, be and he is hereby expelled from the Senate."

The record shows that the discussion on that resolution occupied about five minutes. I could relate other instances of the same kind. I think that it would be safe for us to be guided by a precedent established by such a body as the Senate of the United States,

THE SPEAKER.—The question is on the adoption of the resolution offered by the gentleman from Macomb.

Mr. Ogg—Mr. Speaker—I beg leave to offer a substitute to the resolution of the gentleman from Macomb.

The Clerk read the substitute as follows:

Resolved, That the House of Representatives do now pass a severe vote of censure on Milo H. Dakin for his misconduct towards members of the House as decided by the votes taken on article 3 of the charges.

The question being upon the adoption of the substitute it was not agreed to.

The Speaker—The question is now on the adoption of the resolution offered by the gentleman from Macomb. The Clerk will call the roll.

The question then being on the adoption the resolution of expulsion of Representative Dakin,

The same was adopted,

Two-thirds of the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Lakey,	Mr. Rogers,
Allen,	Diekema,	Lincoln,	Rounsville,
Anderson,	Dillon,	Linton,	Rumsey,
Ashton,	Dougherty,	Makelim,	Simpson,
Baker, S.,	Douglass,	Manly,	Snow,
Baker, W. A.,	Dunbar,	McCormick,	Spencer,
Baldwin,	Eldred,	McGregor,	Stuart,
Bardwell,	Engleman,	McKie,	Thompson,
Bates,	Goodrich,	McMillan,	Tindall,
Baumgardner,	Green,	Mulvey,	VanOrthwick,
Beecher,	Grenell,	Ogg,	Vickary,
Bettinger,	Harper,	O'Keefe,	Vroman,
Bentley,	Haskin,	Oviatt,	Washburn,
Breen,	Herrington,	Pardee,	Watson, F. H.,
Burr,	Hoaglin,	Perkins,	Watson, H.,
Cady,	Holt,	Pettit,	Watts,
Cannon,	Hoobler,	Pierce,	Webber,
Case,	Hosford,	Powers,	Wellman,
Chamberlain,	Houk,	Preston,	Williams, T. H.
Chappell,	Hunt,	Reader,	Williams, W. W.

Mr. Chapman,	Mr. Jones,	Mr. Rentz,	Mr. Wilson,
Cole,	Kelley,	Robinson, J. W.	Wood,
Crocker,	Killeen,	Robinson, R.,	Speaker,
Cross,	Kirby,		

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Mr. Manly, when his name was called, said :

Mr. Speaker, I desire to explain my vote. We have approached that position in this case when every member is obliged to put himself fairly and squarely on the record in this matter, as the counsel has stated on behalf of the defense. That time I do not dread and am ready and willing that my vote shall be recorded, and I am willing that what I say shall go upon the Journal, to be read in the future when we all have passed away. The gentleman in opening the case in behalf of the committee said that Mr. Dakin had cast a stigma upon the hundred members of this House. In my opinion there is no question about that. He has cast a reflection upon the record of the whole hundred members, including our honored and honorable, but deceased comrade, Ovid N. Case, who sleeps quietly in his grave, for he is as much to blame for this stigma resting upon this body as is any one of the fifteen names mentioned in that list. The gentleman who has caused this stigma to rest upon these members is a member of an order to which I belong ; he is a member of the Grand Army of the Republic, earning that position by hard service in behalf of his country, and as one of that order I have solemnly pledged that I would not wrong a brother member knowingly. Therefore when these charges were made against these men, and I was present at the time he confronted these fifteen men, I thought then that perhaps there might be some mistake in this matter.

He came before that committee with a light step, but when he saw those fifteen men around him, he stopped and looked as though he had met men that he had in some way wronged. He was presented with the paper which has been shown in evidence here by the Speaker of this House. He looked at the paper calmly and quietly. He studied those names and said, "I recognize that paper. I made those figures and it means money." He gave his statement there in a slow, measured tone, facing the Speaker. I then was in hopes perhaps there might be a mistake, but that man has come upon the witness stand and swore that the statements he made there are true with one slight exception. My duty to him as a comrade of the Grand Army ceased when I knew he had knowingly and willfully wronged at least two of that order, Representative Williams and myself, by casting reflection at least upon our honor and our credit, which, although we are in no way to blame, will follow us in long days to come. But we are not alone in this disgrace. It spreads upon the name of every man who is a member of this Legislature, and I as a member, can do no more in duty to myself, in justice to my fellow comrades here, members of this House, and in duty to the God that looks down upon us to-night than to say, yes, guilty as charged.

Mr. Snow, when his name was called said :

I desire to say that this is one of the most painful duties that I have ever been called upon to perform, but sir, I will not, I cannot shirk my duty, therefore I vote aye.

Mr. Stuart, when his name was called said :

There has been something said with regard to some organization. I do not care what the organization is that I belong to. I shirk from nothing that I think is honest. I vote aye.

Mr. Wood, when his name was called said:

In the beginning of this trial I sincerely believed that Mr. Dakin was more sinned against than sinning. I believed that he was the victim of a conspiracy and I was strong in my opinion that the gentleman from Saginaw, Mr. Eaton, was at the bottom of all this, and had this been simply tried by the committee and we had voted to expel Mr. Dakin at the time, I would have voted no; but since it has been carefully tried I think the evidence has proven that Mr. Eaton is all right, and that I owe him an apology, and that Mr. Dakin is guilty. Therefore I vote aye.

Mr. Grenell, when his name was called said:

If there were any possibility of any other punishment than the punishment of expulsion being accorded to Mr. Dakin I would gladly vote for that instead of expulsion, but so long as there is no other punishment and so long as I am compelled to vote for some kind of punishment, I am compelled to vote aye.

Mr. Hosford, when his name was called, said:

Mr. Speaker—I said a short time ago that I would rather be right than President; but I fear that in my notion of being right I am very lonesome. I have some idea that the Legislature may by its vote be carrying into effect the purpose of the designing enemies of this man. But that he is guilty under charge three as the House has voted, I have no doubt. And now, although not without much misgiving, I vote aye.

The Speaker then declared that

Two-thirds of the members elect having voted therefor, the resolution is adopted, and the said Milo H. Dakin, member of the House of Representatives from the first representative district of Saginaw county, is from, and after this date, expelled from the floor of the House and debarred from any and all the rights, privileges and advantages of a member of said House during the balance of his present official term.

Mr. W. A. Baker moved to take from the table the following resolution:

Resolved, That the sum of two hundred dollars be and is hereby appropriated for the purpose of enabling Representative Dakin to pay counsel in defending him from the charges preferred against him for misfeasance, malfeasance, or venal or corrupt conduct in office,

Which motion prevailed.

The question being on the adoption of the resolution,

Pending the vote thereon,

On motion of Mr. Chapman, the House adjourned.

Lansing, Friday, April 29, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Franklin.

Roll called: quorum present.

Absent without leave: Messrs. Harper, Hoobler, and Snow.

On motion of Mr. Powers,

Leave of absence was granted to Mr. Snow until Tuesday next.

On motion of Mr. Houk,

Leave of absence was granted to Mr. Harper until Tuesday next.

On motion of Mr. W. A. Baker,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Crocker,

Leave of absence was granted to himself until Wednesday next.

On motion of Mr. Tindall,

Leave of absence was granted to himself until May 9th.

On motion of Mr. McKie,

Leave of absence was granted to himself until Wednesday next.

On motion of Mr. Baumgardner,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Kirby,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. McMillan,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Green,

Leave of absence was granted to himself until Tuesday next.

Mr. Haskin offered the following:

Resolved, That when this House adjourn to-day, Friday 29, it stand adjourned until Monday, May 2, at 9.15 P. M.,

Which was adopted.

PRESENTATION OF PETITIONS.

No. 1012. By Mr. Mulvey: Petition of E. E. Osborn, W. W. Manning and 5 other citizens of Marquette, for the passage of the bills making appropriation for the mining school at Houghton.

Also,

No. 1013. Petition of Charles F. Shock and 54 others, same subject.

Also,

No. 1014. Petition of John Crowley and 64 others, same subject.

Also,

No. 1015. Petition of Dan H. Bull and 64 others, same subject.

Also,

No. 1016. Petition of C. R. McCabe and 64 others, same subject.

Also,

No. 1017. Petition of Alfred Kidder and 900 others, same subject.

Also,

No. 1018. Petition of Captain Peter Pascoe and 238 others, same subject.

Referred to the committee on school of mines.

No. 1019 by Mr. Mulvey: Petition of Hon. W. H. Hart, L. Pearce and 87 others of Ishpeming, asking for an appropriation for the mine school atoughton.

Also,

No 1020. Petition of O. E. Downing and 52 others, same subject.

Also,

No. 1021. Petition of A. W. Myers and 20 others, same subject.

Also,

No. 1022. Petition of W. H. Johnston and 77 others, same subject.

Also,

No. 1023. Petition of F. P. Tillson and 173 others, same subject.

Referred to the committee on school of mines.

No. 1024. By Mr. McGregor: Petition of J. H. Metcalf and 97 others, asking for a reduction of railroad fare.

Referred to the committee on railroads.

No. 1025. By Mr. Simpson: Petition of James Burlington, Wm. Nesbitt and 33 others, relative to the regulation of the liquor traffic.

Referred to the committee on liquor traffic.

No. 1026. By Mr. Eldred: Petition of Maas & Stross and 57 others relative to the garnishee law.

Also,

No. 1027: Petition of Frank & Stark and 47 others relative to the constitutional sale of personal chattels.

Referred to the committee on judiciary.

No. 1028. By Mr. Rounsville: Petition of Jas. Patterson and many others asking for the passage of the bill making a reduction in railroad fares.

Referred to the committee on railroads.

No. 1029. By Mr. Washburn: Petition of Dexter assembly 3871 K. of L., asking for the passage of the Washburn liability bill.

Referred to the committee on judiciary.

No. 1030. By Mr. Grenell: Petition of 41 citizens of Northville, asking that election days be made legal holidays.

Also,

No. 1031. Petition of C. Gebbard and other citizens of Detroit, same subject.

Also,

No. 1032. Petition of assembly 7606 K. of L., same subject.

Also,

No. 1033. Petition of L. A. 3954 of Detroit, same subject.

Also,

No. 1034. Petition of Dexter assembly 3871, same subject.

Also,

No. 1035. Petition of local assembly 4293, same subject.

Referred to the committee on liquor traffic.

No. 1036. By Mr. Dillon: Petition of F. H. Gill and others, asking for the passage of the Grenell purity of election bill.

Referred to the committee on elections.

No. 1037. By Mr. Dillon: Petition of C. F. Bates asking for the compulsory education of children.

Referred to the committee on education.

No. 1038. By Mr. Goodrich: Petition of Local Assembly No. 3441 K. of L., asking for the passage of the various labor bills.

Referred to the committee on labor interests.

No. 1039. By Mr. Pierce: Petition of E. R. Reed and numerous others relative to the placing of text-books of physiology and hygiene in our public schools.

Referred to the committee on education.

No. 1040. By Mr. Manly: Petition of Dexter K. of L., asking for the passage of the 2c per mile railroad bill.

Referred to the committee on railroads.

Also,

No. 1041. Petition of Dexter K. of L., asking for the passage of Ogg convict labor bill.

Referred to the committee on State prison.

Also,

No. 1042. Petition of Dexter K. of L., asking for the passage of a bill to prohibit non-resident aliens from holding land.

Referred to the committee on judiciary.

Also,

No. 1043. Petition of Dexter K. of L., asking for the passage of The Ogg bill—Forbidding the use of store orders in payment of wages,

Also,

No. 1044. Petition of Dexter K. of L., asking for the passage of The Ogg bill—To provide for the better protection of health, safety and comfort of persons employed in shops and factories.

Referred to the committee on labor interests.

No. 1045. By Mr. Oviatt: Petition of A. Bennett, A. Gilbert and 100 others of Sherman relative to the placing of text books of physiology and hygiene in our public schools.

Referred to the committee on education.

Also,

Also,

No. 1046. Petition of R. Fuller and 16 others asking for the passage of the Cole insurance bill.

Also,

No. 1047. Petition of W. B. Pool and 200 others, same subject.

No. 1048. Petition of W. B. Dennis and 75 others against combination among insurance companies.

Referred to the committee on insurance.

No. 1049. By J. W. Robinson: Petition of 47 business men of Stanton, asking that railroad fare be reduced to 2 cents per mile.

Referred to the committee on railroads.

No. 1050. By Mr. Anderson: Petition of B. E. Burton and 215 others, asking for the passage of a bill to prohibit the use of scrip or store orders in payment of wages.

Also,

No. 1051. Petition of W. Stone and 70 others, same subject.

Also,

No. 1052. Petition of Wm Davis and 59 others, same subject;

Referred to the committee on labor interests.

No. 1053. By Mr. Douglas; Petition of John Y Ellis and 87 others asking for an appropriation for a mining school.

Also,

No. 1054. Petition of Jerry Cruin and 44 others, same subject.

Also,

No. 1055. Petition of Jas. Finn and 49 others, same subject.

Also,

No. 1056. Petition of Geo. W. Coggin and 298 others, same subject.

Also,

No. 1057. Petition of Chas. Hassel and 477 others, same subject.

Also,

No. 1058. Petition of Thomas Rundell and 593 others, same subject.

Referred to the committee on school of mines.

No. 1059. By Mr. Chapman: Petition of J. W. Winsor and numerous others relative to the placing of text books of physiology and hygiene in our public schools.

Referred to the committee on education.

No. 1061. By Mr. Hunt: Petition of L. A. 4464 K. of L., Lowell, Mich., asking for the passage of the Ogg bill to abolish contract labor in State prisons.

Referred to the committee on State prisons.

Also,

No. 1062. Petition of the same body, asking for the passage of the Dillon bill for the compulsory education of children.

Referred to the committee on education.

Also,

No. 1063. Petition of same body for the passage of the Breen bill in relation to the appointment of a mine inspector.

Referred to the committee on mines and minerals.

Also,

No. 1064: Petition of same body asking for the passage of the Grenell bill making general election days legal holidays.

Referred to the committee on elections.

Also,

Nos. 1065, 1066, 1067, 1068 and 1069. Petition of the same body asking for the passage of

The Ogg bill—Forbidding the use of store orders in payment of wages,

The Ogg bill—To provide for the better protection of health, safety and comfort of persons employed in shops and factories,

The Rairden bill—To repeal the Baker conspiracy law,

The Washburn bill—To make employers liable for injuries sustained by their employed by reason of uncovered or unsafe machinery or scaffolding,

And the Holbrook bill—To protect workmen against wrongful requirements by employers.

Referred to the committee on labor interests.

Nos. 1070, 1071 and 1072. Petition of the same body asking for the passage of

The Grenell bill—To preserve the purity of elections and to provide a secret ballot; and the Ogg bill, to prohibit non-resident aliens from holding land; the Grenell bill, to prohibit the employment of aliens by corporations.

Referred to the committee on judiciary.

Also,

Nos. 1073 and 1074. Petition of the same body praying for the passage of the Breen bill, forfeiting unearned land grants; and the Hosford bill, to carry into effect the provision of the constitution that no corporation shall hold land more than ten years.

Referred to the committee on public lands.

No. 1075. By Mr. Dougherty: Petition of Mancelona K. of L. asking the passage of bill prohibiting non-resident aliens from holding lands.

Referred to committee on public lands.

No. 1076. By Mr. Hill: Petition of R. B. Carns and others asking the passage of House bill No. 312, relative to the protection of keepers of stallions.

Referred to committee on agriculture.

No. 1077. By Mr. Killean: Memorial of Thos. D. Gilbert, Henry J. Holister, and 35 other citizens of Grand Rapids, for the passage of Senate files Nos. 110 and 111, for the purchase of a suitable site for the mining school and for the support thereof for 1887-1888.

Referred to the committee on school of mines.

No. 1078. By Mr. Tindall: Petition of W. R. Slayton, C. E. Stanton, C. H. Parker, M. G. Dunlap, and 30 other citizens of Oxford, asking for the passage of Senate bill No. 1, and Senate bill No. 109, relative to the mining school in the Upper Peninsula.

Referred to committee on school of mines.

No. 1079. By Mr. Pettit: Petition of F. W. Weedon and 41 others for the passage of the substitute for Senate bill 134 relative to teaching physiology and hygiene in public schools. Referred to committee on education.

Also,

No. 1080. Petition of F. L. Westcott, D. H. Speer and 50 others on the same subject.

Referred to same committee.

No. 1081. By Mr. Cross: Petition of A. G. Blackman, Geo. B. Kulf, M. E. Bishop and 42 others for the passage of Senate bill 134, relating to physiology and hygiene in the public schools.

Referred to committee on education.

No. 1082. By Mr. Burr: Petition of G. A. Shanton and 63 others of Mt. Pleasant, asking the passage of substitute for Senate bill No. 134 relative to physiology and hygiene in the public schools.

Referred to the committee on education.

No. 1083. By Mr. Hunt: Petition of W. L. Merriman, J. W. Walker, H. M. Lewis, and 48 others, asking the passage of substitute for Senate bill No. 134, relative to physiology and hygiene in the public schools.

Referred to committee on education.

No. 1084. By Mr. Green: Petition of 30 citizens of Bay City, asking for the repeal of the so-called Baker conspiracy law.

Referred to committee on labor interests.

Also,

No. 1085. Petition of 44 citizens of Bay City asking the passage of Breen's mine inspection bill.

Referred to committee on mines and minerals.

Also,

No. 1086. Petition of 40 citizens of Bay City asking for the passage of Washburn's liability bill.

Referred to committee on judiciary.

Also,

No. 1087. Petition of Bay City assembly K. of L. asking for the passage of Mr. Ogg's contract labor bill.

Referred to committee on State prison.

No. 1088. By Mr. Reader: Petition of several citizens of Scottville praying for the passage of the Hosford bill, to carry into effect the provision of the constitution that no corporation shall hold land more than ten years.

Referred to the committee on public lands.

Also,

No. 1089. Petition of K. of L. of Ludington, asking for the passage of the bill to make labor debts preferable.

Also,

No. 1090. Petition of several citizens of Scottville, same subject.

Also,

No. 1091: Petition of several citizens of Scottville for the passage of the Washburn bill to make employers liable for injuries sustained by their employes by reason of uncovered or unsafe machinery.

Also,

No. 1092. Petition of several citizens of Scottville asking for the passage of the Grenell bill to prohibit the employment of aliens by corporations, Grenell bill to preserve the purity of elections and to provide a secret ballot.

Referred to the committee on judiciary.

Also,

No. 1093. Petition of several citizens of Scottville asking for the passage of the Dillon bill to provide for compulsory education of children.

Referred to the committee on education.

Also,

No. 1094. Petition of K. of L. of Ludington asking for the passage of the Grenell election bill.

Referred to the committee on elections.

Also,

No. 1095. Petition of several citizens of Scottville, asking for the passage of the Breen bill in relation to the appointment of a mine inspector.

Referred to the committee on mines and minerals.

Also,

No. 1096. Petition of several citizens of Scottville asking for the passage of a bill providing for the safety of persons working in shops and factories.

Referred to the committee on labor interests.

Also,

No. 1097. Petition of several citizens of Scottville asking for the passage of the various Ogg labor bills.

Referred to the committee on labor interests.

No. 198. By Mr. Ogg: Petition of Detroit K. of L., asking for the passage of the Ogg bill to prohibit the use of scrip or store orders in payment of wages.

Also,

No. 1099. Petition of Powderly Assembly K. of L., same subject.

Referred to the committee on labor interests.

REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill 395, entitled

A bill to repeal act No. 223 of the session laws of 1849, relative to the Grand Rapids hydraulic company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to provide for the election of a collector of taxes for the several wards of the city of Grand Rapids, and to prescribe the duties of such collector.

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Killean,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Killean,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Kelly,	Mr. Robinson, R.,
Allen,	Diekema,	Killean,	Rogers,
Anderson,	Dillon,	Kirby,	Rumsey,
Ashton,	Dougherty,	Lakey,	Simpson,
Baker, S.,	Douglass,	Lincoln,	Spencer,
Baldwin,	Dunbar,	Linton,	Stuart,
Bardwell,	Eldred,	Makelim,	Thompson,
Bates,	Engleman,	Manly,	Tindall,
Bettinger,	Goodrich,	McCormick,	VanOrchwick,
Bentley,	Green,	McMillan,	Vickary,
Breen,	Grenell,	Mulvey,	Vroman,
Burr,	Haskin,	Ogg,	Washburn,
Cady,	Herrington,	O'Keefe,	Watson, F. H.
Cannon,	Hill,	Oviatt,	Watts,
Cross,	Hoaglin,	Pardee,	Webber,
Chamberlain,	Holt,	Pettit,	Wellman,
Chapell,	Hosford,	Pierce,	Williams, T.H.,
Cole,	Houk,	Powers,	Williams, W.W
Crocker,	Hunt,	Reader,	Wilson,
Cross,	Jones,	Rentz,	Speaker, 80

NAYS.

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Title agreed to.

On motion of Mr. Killean,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on insurance:

The committee on insurance, to whom was referred

House bill No. 739 (file No. 223), entitled

A bill to revise the laws providing for the incorporation of corporative and mutual benefit associations, and to define the powers and duties and regulate

the transaction of the business of all such corporations and associations doing business within this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, Mr. S. Baker dissenting, and ask to be discharged from the further consideration of the subject.

JOHN S. CROSS, *Chairman.*

Report accepted and committee discharged.

House bill No. 630 (manuscript), entitled

An act to amend sections 11, 13 and 19 of act No. 331, session laws of 1871, entitled "An act to revise an act entitled 'An act relative to free schools in the city of Grand Rapids,' approved March 15, 1871, as amended by an act approved April 24, 1875," approved May 9, 1877, as amended by the several acts amendatory thereof.

ROBERT Y. OGG, *Chairman.*

Report accepted.

On motion of Mr. Cross,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

Senate bill No. 324, entitled

A bill to create a fund for and to provide for the payment of certain damages for sheep and lambs killed or wounded by dogs within the city of Lansing, township of Lansing, in the county of Ingham, State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. W. WATTS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Preston,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Kirby,	Mr. Rumsey,
Allen,	Dougherty,	Lakey,	Simpson,
Ashton,	Douglass,	Lincoln,	Spencer,
Bardwell,	Dunbar,	McCormick,	Stuart,
Bates,	Eldred,	McMillan,	Thompson,
Baumgardner,	Engleman,	Mulvey,	Tindall,
Beecher,	Goodrich,	Ogg,	Vickary,
Breen,	Grenell,	Oviatt,	Vroman,
Burr,	Herrington,	Pettit,	Washburn,
Cady,	Hill,	Pierce,	Watson, F. H.

Mr. Cannon,	Mr. Hoaglin,	Mr. Powers,	Mr. Watts,
Case,	Holt,	Preston,	Webber,
Chamberlain,	Hosford,	Reader,	Wellman,
Cole,	Houk,	Rentz,	Williams, W. W.
Crocker,	Hunt,	Robinson, J. W.	Wilson,
Cross,	Kelley,	Robinson, R.,	Wood,
Damon,	Killean,	Rounsville,	Speaker,
Diekema,			

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NAYS.

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Mr. Linton,

Title agreed to.

On motion of Mr. Preston,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on liquor traffic:

The committee on liquor traffic, to whom was referred

House bill No. 504 (file No. 371), being

Substitute reported by committee on liquor traffic and ordered printed for the use of the committee, entitled

A bill to revise, consolidate, and amend the liquor laws of this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY WATSON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 177, entitled

A bill to amend an act entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon, approved March 14, 1882, relative to property exempt from taxation,"

Also,

House bill No. 776, entitled

A bill to amend section 3 of act No. 9 of the public acts of 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon," by adding another subdivision to said section to stand as subdivision eighth,

Also,

House bill No. 413, entitled

A bill to provide for the assessment of property and the levy and collection of taxes thereon,

Respectfully report that they have had the same under consideration, and have directed me to request that the three bills be printed for the use of the committee.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The three named bills were ordered printed for the use of the committee.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 105 (file No. 116), entitled

An act to designate and establish a State road in Bay county, to be known as the Williams and Garfield State road.

Also,

House bill No. 143 (file No. 291), entitled

An act to change the name of Edwin N. Chapman to Edwin N. Brown.

Also,

House bill No. 385 (manuscript), entitled

An act to amend section 3 of chapter 7, section 3 of chapter 14, section 6 of chapter 19, sections 3 and 15 of chapter 21, sections 14 and 21 of chapter 22, section 1 of chapter 23 and section 2 of chapter 25, of act No. 337 of the local acts of 1883, entitled "An act to incorporate the city of Kalamazoo" and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo" and to repeal all inconsistent acts and parts of acts, approved March 25, 1861, as amended by the several acts amendatory thereof, approved June 8, 1883, and to add eight new sections thereto to stand as section 6 of chapter 6 and sections 9, 10, 11, 12, 13, 14 and 15 of chapter 26, respectively.

REPORTS OF SELECT COMMITTEES.

Your special committee, to whom was referred "the matter of the incorporation of the city of Marine City," being Senate bill No. 235, respectfully report that on the 6th day of April Governor Cyrus G. Luce respectfully returned to the Senate for their reconsideration a bill originating therein, entitled "An act to incorporate the city of Marine City in the county of St. Clair, and to repeal act No. 328 of the local acts of 1885."

This bill not only provides for the incorporation of a city, but for the annexation of territory outside of the present limits of the village of Marine City. Certain protestants claimed that they were not given an opportunity to appear before the committees of either House while the bill in its present form was under consideration. Under these circumstances Governor Cyrus G. Luce deemed it but a simple act of justice to the protestants to return the bill without his signature that the protestants might have an impartial hearing.

Your committee further respectfully report that they have had the matter under consideration, have visited the locality in question and found the situation as follows:

The old village of Marine City is located on a triangular piece of ground consisting of about two hundred acres between the confluence of the St. Clair and Belle rivers. That portion which is closely built up covers about one hundred and twenty-five acres, almost every lot being occupied by one or more buildings. The village is growing rapidly and has spread over a considerable portion of territory on the west side of Belle river. The owners of the lands on that side to the number of seven have platted village lots. Each owner platting to suit himself without regard to symmetry which can yet be corrected to a certain extent by placing the lands within the city limits. A great many persons have purchased these lots with the understanding and under promise of the former owners that they would be included in the water supply system in some way.

Your committee found that some forty families living in this new territory were supplied with water during the summer months by means of drays, hauling the water from St. Clair river. The water was kept so long in barrels by some families, that it became impure and was the cause of sickness, and several deaths were reported which the attending physician stated to your committee were caused by the use of this impure water. There is no fire protection on the west side of the river, which could and would be readily supplied by the water works which they already have in the village and which are of sufficient capacity to supply the annexed territory.

Your committee finds included in the limits, as fixed by the bill, some farming lands which will not be needed for city lots for some time to come and perhaps never, but deem it prudent to place under police surveillance the territory adjoining the town to the extent indicated in the bill ; further the lines could not be made symmetrical in any other manner than that indicated. The only objection raised by any person to being included in the city limits is that of increased taxation. The assessed valuation of Marine City is \$427,000.00. That of the new territory to be annexed is \$103,000.00, thus making the new territory liable to about one-fifth the present indebtedness and one-fifth the expense of all new improvements, the most of which will have to be on the new territory, thus giving them four dollars for every one dollar they will have to pay. The school building is overcrowded and it will require an outlay of about \$15,000.00 to build a new school building, which will evidently be built on the west side, of this amount the old town will pay four-fifths, or \$12,000, and the new territory will only pay \$3,000. The present indebtedness of Marine City is about \$35,000 (balance on water works and city hall), none of which, except the interest is due till 1890. Of this amount the new territory will only be obliged to pay one-fifth, or \$7,000, while they will receive in the new school building alone the sum of \$12,000 besides the extension of water supply and fire protection.

The center of the Belle river, a navigable stream 150 feet wide, is now the west boundary of the village, the harbor master only having control on the one side of the river. Some sixty vessels annually lay up in this river over winter. The village imposes a tax of ten dollars on each of these vessels, but by tying up on the west side they can deprive the village of the tax. At least one of the owners of the farming lands mentioned is also a large vessel owner, the tying up his vessels on his own land can escape the tax. While the United States government has expended on the harbor the sum of \$14,000 within a short period, to make it beneficial to the whole community and not specially for these land owners. The committee gave full opportunity to all persons interested in the matter to express their views. For the above reasons your committee would respectfully recommend that the bill do pass, the governors veto to the contrary notwithstanding, and asks to be discharged from further consideration of the subject.

M. T. COLE, *Chairman*.
H. H. BARDWELL,
F. A. WILSON,
JOHN KILLEAN,
WM. A. BAKER, *Secretary*,
Special Committee.

Report accepted and committee discharged.

The report was referred to the committee on municipal corporations.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,
Lansing, April 29, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State:

House bill No. 541, being

An act authorizing the city of East Saginaw to acquire by dedication, grant, or otherwise, the right to use and maintain the "city line ditch," so called, for the purpose of drainage.

Also,

House bill No. 924 (file No. 227), being

An act to amend section 4 of an act entitled "An act creating a bureau of labor and industrial statistics, and defining the powers and duties of the same," approved June 6, 1883, as amended by act No. 189 of the laws of 1885.

Also,

House bill No. 215 (file No. 215), being

An act making appropriations for the current expenses of the State Normal School for the years 1887 and 1888.

Also,

House bill No. 713 (manuscript), entitled

An act to repeal sections 4, 5, 6, 7, and 8, of article 16, of act number 348 of the session laws of 1869, being an act entitled "An act to re-incorporate the village of Fenton, and to amend section 7 of article 6, section 3 of article 16, section 4 of article 17, and section 1 of article 26 of act number 348 of the session laws of 1869, being an act entitled 'An act to incorporate the village of Fenton,' and sections 2 and 8 of article 6 of act number 348 of the session laws of 1869, being an act entitled 'An act to re-incorporate the village of Fenton,' as amended by act number 362 of the local acts of 1879, being an act entitled "An act to amend section 2 of article 6, and to add a new section thereto to stand as section 8 of act number 348 of the session laws of 1869," approved March 26, 1869, entitled 'An act to re-incorporate the village of Fenton,'"

C. G. LUCE, Governor.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE,
Lansing, April 27, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State,

[House bill No. 105, file No. 116, being]

An act to designate and establish a State road in Bay county, to be known as the Williams and Garfield State road.

Also,

[House bill No. 143, file No. 291, being]

An act to change the name of Edwin N. Chapman to Edwin N. Brown.

Also,

[House bill No. 630, being]

An act to amend sections 11, 13 and 19 of act No. 331, session laws of 1871, entitled "An act to revise an act entitled 'An act relative to free schools in the city of Grand Rapids,' approved March 15, 1871, as amended by an act approved April 24, 1875," approved May 9, 1877, as amended by the various acts amendatory thereto.

C. G. LUCE,
Governor.

The message was laid upon the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, April 27, 1887. }

To the House of Representatives :

I have this day approved, signed, and deposited in the office of the Secretary of State,

House bill No. 385, being

An act to amend section 3 of chapter 7, section 3 of chapter 14, section 6 of chapter 19, sections 3 and 15 of chapter 21, sections 14 and 21 of chapter 22, section 1 of chapter 23, and section 11 of chapter 25, of act No. 337 of the local acts of 1883, entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo," and to repeal all inconsistent acts and parts of acts, approved March 15, 1861, as amended by the several acts amendatory thereof, approved June 8, 1883, and to add eight new sections thereto to stand as section 6 of chapter 6, and sections 9, 10, 11, 12, 13, 14 and 15 of chapter 26, respectively,

C. G. LUCE, *Governor.*

The message was laid on the table.

COMMUNICATIONS FROM STATE OFFICERS.

STATE TREASURER'S OFFICE, }
Lansing, April 22, 1887. }

To the House of Representatives :

I am in receipt of a resolution of your honorable body requesting a statement of the condition of the several funds on April 1, 1887.

Agreeably to your request I enclose statement from general and auxiliary ledgers, showing balances at that date:

CREDIT.	
General Fund	\$710,588 95
Specific Tax Fund	357,798 58
Primary School Interest Fund	7,468 18
Normal School Interest Fund	997 96
Agricultural College Interest Fund	6,991 78
University Interest Fund	9,818 45
Sundry Deposits Account	5,237 77
St. Mary's Canal Fund	68,927 12
War Bounty Loan Bond Account	231,000 00
Total	\$1,898,818 74

DEBIT.	
Sinking Fund U. S. 4½ % Bonds	\$231,000 00
War Fund	601 61
Cash balance	1,166,717 18
Total	\$1,898,818 74

Under balance of April 1, 1887, of all appropriations due in 1886 and previous years, and of appropriations for 1887 made by laws of 1885 and previous years (exclusive of current expenses of State government), to be taken from general fund, \$251,463.29.

Respectfully submitted,

GEO. L. MALTZ,
State Treasurer.

The communication was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, April 28, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to re-transmit to the House the following bill:

Senate bill No. 22 (file No. 25), entitled

A bill to require security to be given on staying proceedings upon verdicts and judgments in the circuit courts of the State,

Which the House, as shown by message of April 22, amended as follows:

1. By inserting in line 4, section 1, after the word "stay" the words "if judgment shall have been rendered against him."

2. By striking out of line 2 of section 2 after the word "bond" the words "by reason of poverty."

3. By striking out of line 2 section 2 the word "may" and insert in lieu thereof the word "shall."

4. By striking out of line 2 of section 2 after the word "inability" the words "for such reason."

5. By striking out of line 2 of section 2 the word "such" and insert in lieu thereof the word "a."

6. By inserting at the end of line 2, section 2, after the word "stay" the words "of sale on execution."

And to inform the House that in said amendments the Senate now concurs.

And further to inform the House that the Senate asks for a committee of conference, to whom shall be referred the matters of difference between the two Houses, relative to said bill.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Mr. Chapman moved that the request of the Senate for a committee of conference be granted,

Which motion prevailed.

The Speaker appointed as such committee Messrs. Diekema, Crocker, and F. H. Watson.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 28, 1887.

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 58 (file No. 123), entitled

A bill to provide for laying out and establishing a State road in Bay county, to be known as "The Bay City and Au Sable State Road Extension,"

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 28, 1887.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 45 (file No. 209), entitled

A bill to amend section 10, chapter 343 of act number 201 of the session laws of 1881, being section 9836 of Howell's annotated statutes of 1882, relative to the State industrial home for girls,

Which has passed the Senate by a majority vote of all the Senators elect,

and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on State industrial home for girls.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, March 28, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 212 (file No. 142), entitled

A bill to authorize suits to be brought at law or in equity against navigation companies organized under the laws of this State for the purpose of engaging in the business of maritime commerce or navigation within this State, or upon the frontier lakes or other navigable waters, natural or artificial, connected therewith, in the courts of any county in this State, in which the plaintiff resides, and the boats of such company call and do business,

2. Senate bill No. 277 (file No. 230), entitled

A bill to amend and alter section 14 of act No. 39 of the public acts of 1883, entitled "An act to authorize the formation of corporations for the purpose of excavating, constructing, and maintaining water courses with water power appurtenant thereto, for accumulating, storing, conducting, selling, furnishing and supplying, upon an agreed rental, water and water power for mining, milling, manufacturing, domestic, municipal and agricultural purposes," and for holding and conveying lands adjacent to said water course, or within convenient distance thereof,

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The first named bill was read a first and second time by its title, and referred to the committee on judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on private corporations.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 28, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following concurrent resolution:

Resolved by the House (the Senate concurring), That 3,000 copies of the report of the select joint committee on insurance, on their investigation of the life insurance business as conducted in this State, together with the tes-

timony taken before said committee and accompanying the report, be printed in pamphlet form for the use of the Legislature,

In the adoption of which the Senate has concurred.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate

The message was laid upon the table.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, March 27, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 177 (file No. 85), entitled,

A bill to provide for the better protection of lives of passengers and employes on railroad trains,

Which the House, as shown by message of April 22, amended as follows:

1. By inserting at the end of line 2, section 2, the words "not securely fastened."

2. By adding at the end of section 2 the following: "*Provided further, That the provisions of this act shall not apply to caboose cars run on any freight train,*"

And to inform the House that in said amendments the Senate non-concurs.

Very respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

Mr. Chapman moved the House insist on its amendments to the bill,

Which motion prevailed.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 26, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 771 (file No. 274), entitled

A bill to authorize Bay county to borrow money to build and repair bridges across the Saginaw river,

And to inform the House that the Senate has adopted a substitute therefor, entitled

A bill to authorize Bay county to borrow money to build and repair bridges across the Saginaw river,

In the passage of which, as thus substituted, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The substitute bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, April 26, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 102, entitled

A bill to change the name of Arthur W. Gleason to Arthur W. McCarty and make him the heir at law of William McCarty and Betsy McCarty,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

MOTIONS AND RESOLUTIONS.

Mr. Jones moved to take from the table

Senate bill No. 102 (file No. 123), entitled

A bill to make all debts for labor preferred claims against the estates of debtors becoming insolvent, and give the same precedence over all debts not a lien on such estates prior to the performance of such labor,

Which motion prevailed.

On motion of Mr. Jones,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

Mr. T. H. Williams offered the following:

Resolved, That 1,000 copies of the Dakin examination proceedings, testimony and pleadings be printed in pamphlet form for the use of the House.

Mr. Grenell moved to amend the resolution by making the number of copies 2,500 instead of 1,000,

Which was agreed to.

The resolution as amended was then adopted.

On motion of Mr. S. Baker

The clerk was instructed to have a fac-simile of the "roll call" marked as an exhibit in the Dakin investigation proceedings, printed in the official proceedings.

Mr. H. Watson moved that the House go into committee of the whole for the consideration of

House bill No. 504 (file No. 371), entitled

A bill to revise, consolidate and amend the liquor laws of this State,

Which motion did not prevail.

Mr. H. Watson moved that

House bill No. 504 (file 371), entitled

A bill to revise, consolidate and amend the liquor laws of this State,

Be made the special order for Tuesday next, May 3, at 2:15 P. M.

Mr. Crocker moved to amend the motion by making the date Thursday next, May 5,

Which was agreed to.

The motion as amended then prevailed.

On motion of Mr. Vickary,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

PRESENTATION OF PETITIONS.

No. 1100. By Mr. H. Watson: Petition relative to rate of fares on railroads.

On demand of Mr. H. Watson,

The petition was read at length and spread at large on the journal, as follows:

Lakeview, Mich., April 19, 1887.

To the Honorable the Senators and Representatives of the Legislature of the State of Michigan:

The undersigned, electors of the County of Montcalm, respectfully request our Senators and Representatives to use all honorable means to reduce the passenger fare on all railroads in the State to the reasonable sum of two cents per mile, believing this will not only benefit the people at large, but the railroads themselves.

The history of such legislation in other states has already proven to be a blessing to the people, and the roads also, and we firmly believe such will be the result in our state, if the reduced rate of fare is adopted.

Referred to the committee on railroads.

No. 1101. By Mr. McKie: Petition of W. F. Runner, F. W. Mead, Weaver & Co., and 62 others of Berrien county, for the passage of Senate bill No. 134.

On demand of Mr. McKie,

The petition was read at length, and spread at large on the journal, as follows:

To the Honorable members of the Legislature of the State of Michigan:

WHEREAS, The law of our State in reference to placing text books of physiology and hygiene in our public schools, has proven inadequate to accomplish what was intended by its framers, and what is, by a large number of citizens, deemed desirable:

Therefore, we, the undersigned, most respectfully and earnestly urge your honorable body to pass the substitute for Senate bill No. 134, which is believed to embody a plain and effective guide to the introduction and teaching of the above named science.

Referred to the committee on education.

No. 1102. By Mr. Hoaglin: Communication of C. P. Aldrich and "The Standard Life Association."

Mr. Hoaglin moved that the communication be read at length, and spread at large on the journal,

Which motion prevailed.

Mr. Chapman moved to reconsider the vote by which the House ordered the printing of the communications,

Which motion prevailed.

The question being on the printing of the communications,
On motion of Mr. Chapman,
The communications were laid on the table.

REPORTS OF STANDING COMMITTEES.

By the committee on labor interests:

The committee on labor interests, to whom was referred
House bill No. 27 (file No. 4), entitled

A bill to regulate the uniformity of text books in the public schools throughout the State and the distribution of the same and to repeal all acts contravening the provisions of this act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GEORGE OVIATT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Oviatt,

The House concurred in the adoption of the substitute reported by committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred
Senate bill No. 771, entitled

A bill to authorize Bay county to borrow money to build and repair bridges across the Saginaw river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Green,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Kirby,	Mr. Rumsey,
Allen,	Dougherty,	Lincoln,	Simpson,
Anderson,	Douglass,	Makelim,	Spencer,
Baker, S.,	Dunbar,	Manly,	Stuart,
Baldwin,	Eldred,	McCormick,	VanOrtheast,
Bardwell,	Engleman,	Mulvey,	Vickary,
Bates,	Goodrich,	O'Keefe,	Washburn,
Beecher,	Green,	Oviatt,	Watson, F. H.,
Breen,	Grenell,	Pettit,	Watson, H.,
Burr,	Haskin,	Powers,	Watts,
Cady,	Hill,	Preston,	Webber,
Cannon,	Hoaglin,	Reader,	Wellman,
Chamberlain,	Holt,	Rentz,	Williams, T. H.

Mr. Chapell,	Mr. Hoobler,	Mr. Robinson, R.	Mr. Wilson,
Chapman,	Jones,	Rogers,	Wood,
Cross,	Kelley,	Rounsville,	Speaker,
Damon,	Killeen,		

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NAYS.

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Title agreed to.

On motion of Mr. Green,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on municipal corporations.

The committee on municipal corporations, to whom was referred House bill No. 867, entitled

A bill to amend section 33, of chapter 7, and sections 1, 33, 34, 35 and 36 of chapter 11, of act No. 326, of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with request that it be printed for use of the committee. ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Bates,

The bill was ordered printed for the use of the committee.

REPORTS OF SELECT COMMITTEES.

To the Honorable Speaker and Members of the House of Representatives:

Your committee who were appointed as a joint conference committee to take under consideration certain proposed amendments to Senate bill No. 42, (file No. 22), entitled "A bill in relation to jurors in courts of record in the county of Wayne, and to revise the laws relative thereto,"

Respectfully report that they have had a conference, and the result of said conference is as follows:

That the joint conference committee recommend that the amendments proposed by the House of Representatives to section 5 of the bill by striking out the following words, viz.: "freeholders or owners in their own right of personal property of the value of at least \$200," occurring in lines three and four of said section, be concurred in by the Senate.

The reason of this recommendation, aside from the desire your joint committee had to reach an agreement upon this bill, is, that the joint committee understands that it is the policy of the present executive of this State, as it was that of his two predecessors, that property qualification should not be required as a necessary pre-requisite for the citizens of the State to exercise the functions appertaining to the discharge of any of the duties of citizenship.

The joint committee farther recommend that the amendment proposed by the House of Representatives occurring in line 6 of section 25 of the bill, by inserting after the word "colleges" the words "the senior member of any firm or druggists or pharmacists," be not concurred in, and that the House of Representatives recede from such amendment.

The joint committee still farther recommend that the proposed amendment by the House of Representatives, being entire section 28 which reads as follows: "Not more than 6 members of the board of jury commissioners shall be

members of the same political party," be not concurred in, and that the House of Representatives recede from such amendment, as your joint committee consider that such a provision is directly in conflict with the opinion of our supreme court, as expressed in the case of "The Attorney General *vs.* Detroit Common Council," 58 Michigan, 213, which holds that "matters of individual conscience, including opinions on political subjects, cannot affect a citizens in any of his legal and political rights, and making particular political opinions a condition to holding office is unconstitutional."

Your joint committee express the hope that the foregoing recommendations may be accepted by your honorable body, and that the bill as otherwise prepared may be passed, and ask to be discharged from the further consideration of the subject.

J. W. BABCOCK,
JNO. SHARP,
C. W. WISNER, } *Conferees on the part of the Senate.*

JUDSON GRENELL,
ERASTUS N. BATES, } *Conferees on the part of the House.*

Report accepted.

The bill being in the hands of the Senate no action could be had thereon at this time.

The joint committees of the State public school of the Senate and House of Representatives having been heretofore requested by the board of control of that institution to make investigation into its affairs, management and control and upon such examination to advise and report its condition, beg to respectfully report:

That in compliance with said request a sub-joint committee was appointed from the standing committees of the House and Senate consisting of two members from the Senate and two from the House, and the report of which joint sub-committee being hereto annexed and made a part hereof, and

Your committee fully concurring in the report so made would respectfully beg leave to submit the same as its report.

F. F. HOAGLIN,
Chairman, House Committee.
W. W. BARTON,
Chairman, Senate Committee.

To the Honorable Members of the Committees of the Senate and House of Representatives on the State Public Schools:

Your sub-committee appointed in compliance with the request of the board of control of the State public schools, to visit and consult with said board in relation to the present and future welfare of the school, beg leave to submit the following report:

First. Your committee, on careful examination are fully convinced that the board was prompt in instituting an investigation regarding the alleged immorality of the late superintendent, and that the investigation had by them was, so far as their powers extended, most thorough and complete. As proof of the ability of the board to conduct such an examination in an intelligent and thorough manner, we call your attention to the fact that the president of the board who conducted the examination of the various witnesses, was for two terms a member of the State Legislature, and has been for twenty-five years an honored and able member of the bar.

Second. Your committee was assured by the board that there would be a thorough and complete reorganization of the forces in the school, and that the dismissal of any person employed, which was deemed necessary for the harmony and prosperity of the school, would speedily follow.

Third. After a partial examination and inquiry into the financial management of the school, it is the opinion of your committee that it has been, and is being managed with economy and unquestioned ability.

Fourth. Your committee, after careful inquiry at the school and in the city where it is located, are fully convinced that the board of control is abundantly able and has the disposition to manage the institution in such a manner that it shall speedily overcome the unfortunate position in which it has been placed by the indiscreet conduct of some of its employes, and would regard it as a misfortune to the institution if the members of said board are in any way interfered with or hindered in carrying out their intentions regarding the school and its future management.

Fifth. Your committee, after a most thorough investigation of the school, including its corps of employes, did in its judgment find that certain employes had been for a long time discordant elements therein and untrue to the rules and regulations of the institution; and upon such finding did, upon its own motion, personally advise such persons to quietly and promptly resign their positions in the said school. Your committee did further, upon its own motion, advise the board of control to promptly dismiss them in case they did not comply with the request so made. And in harmony with the advice so given, your committee is since informed that the said persons have been dismissed and their places are to be, if not already, supplied, and that the institution is now free from all those elements that have caused its good name to be questioned.

Sixth.—Your committee desire further to report that while there are no irregularities in its opinion, and no neglect of duty upon the part of the board of control of the State public school, and while they believe its members are earnest and zealous in their endeavors to continue the high reputation the school has heretofore enjoyed, and fully believe that its management has been honest, economical and judicious on the part of the board, yet in compliance with a request of the said board of control of said institution, your committee are asked by them to say that in case there is any lingering sentiment in the minds of the honorable members of this Legislature that irregularities and improper management do exist with the board of control, that they respectfully and earnestly request the same to be investigated in such manner as to the Legislature may seem best.

All of which is respectfully submitted.

F. F. HOAGLIN,
A. W. WESTGATE,
C. H. CADY,
BERNARD O'REILLY,

Sub. Com.

Report accepted.

Mr. Diekema offered the following:

Resolved by the House (the Senate concurring), That a special joint committee consisting of three of the House and two of the Senate be appointed to investigate the charges and rumors against the management of the State public school, and against the character of the superintendent and others in

charge, with full authority in the premises to hold sessions, at the school or elsewhere, at such times as shall best suit their convenience, to enforce the attendance of witnesses, administer oaths, taking in full the testimony with clerk and stenographer, as may to them seem desirable, and to perform every act of examination by means of the books and records of the institution, or otherwise, as to them shall seem necessary to a full understanding of the facts in the case, and report their doings to the Legislature at their earliest convenience.

Pending the order that the resolution lie over one day under the rules,

On motion of Mr. Diekema,

The rules were suspended, two-thirds of all the members present voting therefor, and the resolution was put upon its immediate consideration.

The resolution was then adopted.

MOTIONS AND RESOLUTIONS.

Mr. Bardwell moved to take from the table,

House bill No 571,

A bill to provide for the appointment of five commissioners to designate the position and movements of troops of the State of Michigan on the battlefield of Gettysburg, and the erection of suitable monuments to the memory of the soldiers of the State of Michigan who were engaged in that battle, and to make an appropriation therefor,

Which motion prevailed.

On motion of Mr. Bardwell,

The bill was referred to the committee on military affairs.

Mr. Green moved to take from the table

A bill to provide for the inspection and management of steam boilers, licensing engineers and appointment of inspectors,

Which motion prevailed.

On motion of Mr. Green,

The bill was re-referred to the committee on manufactures.

Mr. Bates moved that 1,000 extra copies of

House bill No. 504 (file No. 371,), entitled

A bill to revise, consolidate and amend the liquor laws of this State, be printed for the use of the House,

Which motion prevailed.

Mr. Rentz offered the following:

WHEREAS, This is the thirty-ninth birthday of Hon. F. F. Hoaglin of Calhoun, therefore be it

Resolved, That this House do congratulate Mr. Hoaglin upon his health, happiness and comely appearance, and be it

Resolved, That we do wish Mr. Hoaglin continued prosperity and many friends, and be it further

Resolved, That Mr. Hoaglin be invited to the Speaker's stand, and that he deliver a ten minutes speech on his life and history,

Which was adopted.

The Speaker appointed Messrs. Rentz and Eldred a committee to wait upon Mr. Hoaglin and conduct him to the chair,

Whereupon,

Mr. Hoaglin gave a brief sketch of his life.

UNFINISHED BUSINESS:

Being the further consideration of

Senate amendment to

House bill No. 150 (file No. 66), entitled

A bill to provide for an appropriation for the preparation, publication, and distribution of the proceedings of the annual meetings of the Michigan superintendents of the poor for the years 1887 and '88,

Which had been reported as follows:

By adding thereto a new section to stand as section 3, and to read as follows:

SEC. 3. The Auditor General shall add to and incorporate in the State tax, for the year 1887, the sum of \$150, and for the year 1888 the sum of \$150, to be assessed, levied, and collected as other State taxes are assessed, levied, and collected, which sums, when collected, shall be placed to the credit of the general fund to reimburse it for the sums appropriated by section one of this act.

The question being on concurring in the amendment made by the Senate to the bill,

The House did not concur, a majority of all the members elect not voting therefor by yeas and nays as follows:

YEAS.

Mr. Baldwin,	Mr. Chamberlain,	Mr. Douglass,	Mr. Oviatt,
Cannon,			

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NAYS.

Mr. Abbott,	Mr. Cross,	Mr. Kirby,	Mr. Rumsey,
Anderson,	Damon,	Lincoln,	Simpson,
Ashton,	Diekema,	Makelim,	Spencer,
Baker, S.,	Dougherty,	McCormick,	Stuart,
Bates,	Dunbar,	Mulvey,	Thompson,
Beecher,	Eldred,	O'Keefe,	Vickary,
Bettinger,	Grenell,	Pardee,	Washburn,
Bentley,	Haskin,	Pettit,	Watts,
Breen,	Hill,	Powers,	Webber,
Burr,	Hoaglin,	Reader,	Wellman,
Cady,	Holt,	Rentz,	Wilson,
Case,	Kelley,	Robinson, R.,	Wood,
Chapman,	Killeen,	Rogers,	

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Also the following:

Senate amendment to

House bill No. 61 (file No. 64), entitled

A bill to amend the title of act numbered 179 of the local acts of the Legislature of the State of Michigan for the year 1885, and to amend section 2 of said act, being an act entitled "An act to authorize the county of Bay to buy and maintain or build a bridge across the Saginaw river,"

Which had been reported as follows:

By adding to the end of section 1 the words "and that section two of said act be and the same is hereby amended so as to read as follows: "

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Green,
The House concurred, a majority of all the members elect voting therefor,
by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Goodrich,	Mr. McCormick,	Mr. Stuart,
Allen,	Green,	McKie,	Thompson,
Anderson,	Grenell,	Mulvey,	Tindall,
Baldwin,	Haskin,	Ogg,	Van Orthwick,
Bates,	Hill,	O'Keefe,	Vickary,
Bentley,	Hoaglin,	Oviatt,	Washburn,
Cady,	Holt,	Pardee,	Watson, F. H.,
Cannon,	Hoobler,	Pettit,	Watson, H.,
Chapell,	Hunt,	Pierce,	Watts,
Chapman,	Jones,	Powers,	Webber,
Cross,	Kelley,	Reader,	Wellman,
Diekema,	Killean,	Rentz,	Williams, T. H.
Dillon,	Kirby,	Robinson, R.,	Williams, W. W.
Dougherty,	Lincoln,	Rogers,	Wilson,
Douglass,	Linton,	Rumsey,	Wood,
Eldred,	Makelim,	Simpson,	Speaker,
Engleman,	Manly,	Spencer,	67

NAYS.

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The bill was referred to the committee on engrossment and enrollment for enrollment.

Also the following:

Resolved, That the sum of tws hundred dollars be and is hereby appropriated for the purpose of enabling Representative Dakin to pay counsel in defending him from the charges preferred against him for misfeasance, malfeasance, or venal or corrupt conduct in office.

The question being on the adoption of the resolution,

Mr. S. Baker moved to amend the resolution so as to read as follows:

Resolved, That the sum of \$150, fifty dollars each for the three attorneys, be and is hereby appropriated for the purpose of paying Representative Dakin's counsel in defending him from the charges preferred against him for misfeasance, malfeasance, or venal or corrupt conduct in office; the said sum of fifty dollars each to be in lieu of all claims or demands the said attorneys have on Milo H. Dakin,

Which motion prevailed.

After some discussion,

Mr. Damon moved that the further consideration of the resolution be indefinitely postponed.

On agreeing to which,

Mr. Damon demanded the yeas and nays.

The demand was seconded, and the motion that the further consideration of the resolution be indefinitely postponed did not prevail by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Hunt,	Mr. Rentz,
Anderson,	Damon,	Jones,	Robinson R.,

Mr. Bardwell,	Mr. Dickson,	Mr. Killean,	Mr. Simpson,
Bates,	Dunbar,	McCormick,	Spencer,
Beecher,	Eldred,	Mulvey,	Tindall,
Cady,	Haskin,	Pardee,	Watta,
Cannon,	Hill,	Pettit,	Webber,
Case,	Hoaglin,	Pierce,	Williams, T. H.
Chapell,			33

NAYS.

Mr. Allen,	Mr. Dougherty,	Mr. Makelim,	Mr. Stuart,
Ashton,	Engleman,	Manly,	Thompson,
Baker, S.,	Goodrich,	McKie,	Vickary,
Baldwin,	Green,	O'Keefe,	Washburn,
Bettinger,	Grenell,	Oviatt,	Watson, F. H.
Bentley,	Holt,	Powers,	Watson, H.,
Breen,	Kelley,	Preston,	Wellman,
Burr,	Kirby,	Reader,	Wilson,
Chamberlain,	Lincoln,	Rouns ville,	Wood,
Dillon,	Linton,	Rumsey,	Speaker, 40

Mr. Chapman moved to amend the resolution so as to each of the three attorneys for the defense \$25 each,

Which motion did not prevail.

Mr. Anderson moved that the resolution do lie on the table,

Which motion prevailed.

Mr. Damon moved that the House go into committee of the whole on the general order,

Which motion did not prevail.

Mr. Rentz moved that the House adjourn,

Which motion prevailed.

And the Speaker declared the House adjourned until Monday next at 9:15 P. M.

Lansing, Monday, May 2, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Franklin.

Roll called: not a quorum present.

Absent without leave: Messrs. Bardwell, Bentley, Breen, Cady, Cannon, Case, Chamberlain, Cross, Diekema, Dougless, Holt, Kelley, Killean, Kirby, Lincoln, McCormick, O'Keefe, J. W. Robinson, R. Robinson, Snow, Spencer, Vickary, Washburn, F. H. Watson, Watts, Webber, T. H. Williams, W. W. Williams, Wilson and Wood.

On motion of Mr. Oviatt,

The House adjourned.

Lansing, Tuesday, May 3, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Franklin.

Roll called: quorum present.

Absent without leave: Messrs. Baldwin, Cannon, Harper, Hill, Kirby, Lincoln, Spencer, W. W. Williams and Wilson.

The speaker announced the following telegram:

Frederic, Mich.

Hon. Dan'l P. Markey, Speaker House of Representatives :

Please have me excused until Wednesday night, account of sickness.

F. A. BALDWIN.

On motion of Mr. Perkins.

Leave of absence was granted to Mr. Baldwin until Thursday next.

On motion of Mr. Jones,

Leave of absence was granted to Mr. Hill for the day.

On motion of Mr. Dillon,

Leave of absence was granted to Mr. W. W. Williams until Thursday next.

On motion of Mr. Manly,

Leave of absence was granted to Mr. Harper for the day.

On motion of Mr. Holt,

Leave of absence was granted to Mr. Cannon for the day.

On motion of Mr. Goodrich,

Leave of absence was granted to Mr. R. Robinson for the day.

PRESENTATION OF PETITIONS.

No. 1101. By Mr. Simpson: Petition of A. H. Draper, I. O. Sweet and 69 others asking for the passage of the bill relative to teaching physiology and hygiene in public schools.

Referred to the committee on education.

No. 1102. By Mr. Beecher: Petition of G. H. Turner, Wm. G. Holeday and 39 others relative to text books.

Referred to the committee on education.

No. 1103. By Mr. H. Watson: Petition of citizens of Howard City for an amendment to the garnishee law.

On demand of Mr. H. Watson,

The petition was read at length, and spread at large on the journal, as follows:

We, the undersigned, business men of Howard City and vicinity, respectfully request you to work and vote for House bill No. 909, providing for the reduction of the exemption allowed married men in garnishee cases, and your petitioners will ever pray.

Referred to the committee on judiciary.

No. 1104. By Mr. Henry Watson: Petition of G. G. Clark and numerous others, against combinations among fire insurance companies.

Referred to the committee on insurance.

Also,

No. 1105: Petition of S. C. Scott and others, relative to the garnishee law.

Referred to the committee on judiciary.

No. 1106. By Mr. Ashton: Petition of S. C. Moffatt, John Pulciphier, O. P. Carver and 33 others asking the passage of Senate bill No. 224, file 56, relative to uniform assessment of property, the levy and collection of taxes, etc.

Referred to the committee on judiciary.

No. 1107. By Mr. Van Orthwick: Petition of George Stevens and 47 others asking that physiology and hygiene be taught in our public schools.

Referred to the committee on education.

No. 1108. By Mr. Ashton: Petition of Seth C. Moffat and 77 others asking for the passage of Senate files Nos. 110 and 111, for the purchase of a suitable site for the mining school and for the support thereof for 1887-1888.

Referred to the committee of school of mines.

No. 1109. By Mr. Douglass: Petition of Z. W. Wright and 105 others, asking for the passage of the bill making an appropriation for the mining school.

Also,

No. 1110. Petition of Eusebe Rocks and 30 others, same subject.

Also,

No. 1111. Petition of Captain Thomas White and 24 others, same subject.

Also,

No. 1112. Petition of Wm. C. Tower and 80 others, same subject.

Also,

No. 1113. Petition of C. Brand and 30 others, same subject.

Also,

No. 1114. Petition of Frank E. Wood and 36 others, same subject.

Also,

No. 1115. Petition of W. Harris and 60 others, same subject.

Also,

No. 1116. Petition of L. H. Richardson and 25 other residents of Houghton county, same subject.

Referred to the committee on mines and minerals.

No. 1117. By Mr. Rentz: Petition of citizens of Wayne county for the erection and equipment of a mining school at Houghton, Mich.

Referred to the committee on ways and means.

No. 1118. By Mr. Webber: Petition of Wm. J. Taylor and others of Hubbardston asking for the passage of House bill 282, relative to insurance.

Referred to the committee on judiciary.

No. 1119. By Mr. Simpson: Petition of E. Cooley and 112 others asking for the passage of the substitute for Senate bill No. 184 in reference to teaching physiology and hygiene in public schools.

Referred to the committee on education.

REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 58 (file No. 123), entitled

An act to provide for laying out and establishing a State road in Bay county, to be known as "the Bay City and Au Sauble State road extension."

Also,

House bill No. 102 (file No. 166), entitled

An act to change the name of Arthur W. Gleason to Arthur W. McCarthy and make him the heir-at-law of William McCarthy and Betsey McCarthy.

Also,

House bill No. 61 (file No. 64), entitled

An act to amend the title of act No. 397 of the local acts of the Legislature of the State of Michigan for the year of 1885, and to amend section two of said act, being an act entitled "An act to authorize the county of Bay to buy and maintain a bridge across the Saginaw river."

ROBERT Y. OGG, *Chairman.*

Report accepted.

By the committee on private corporations:

The committee on private corporations, to whom was referred

Senate bill No. 277 (file No. 230), entitled

A bill to amend and alter section 14 of act No. 39 of the public acts of 1883, entitled "An act to authorize the formation of corporations for the purpose of excavating, constructing and maintaining water courses with water power appurtenances thereto for accumulating, storing, conducting, selling, furnishing and supplying, upon an agreed rental, water and water power for mining, milling, manufacturing, domestic, municipal and agricultural purposes," and for holding and conveying lands adjacent to said water course or within convenient distance thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass and ask to be discharged from the further consideration of the subject.

L. H. HUNT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Thompson,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Douglass,	Mr. Manly,	Mr. Rounsville,
Allen,	Dunbar,	McCormick,	Rumsey,
Anderson,	Eldred,	McGregor,	Simpson,
Ashton,	Engleman,	McKie,	Snow,
Baker, W. A.,	Goodrich,	McMillan,	Stuart,
Bates,	Green,	Mulvey,	Thompson,
Beecher,	Grenell,	Ogg,	VanOrthwick,
Bettinger,	Haskin,	O'Keefe,	Vickary,
Bentley,	Herrington,	Oviatt,	Vroman,
Breen,	Hoaglin,	Perkins,	Washburn,
Burr,	Holt,	Pettit,	Watson, F. H.
Case,	Hoobler,	Pierce,	Watson, H.,
Chapell,	Hosford,	Powers,	Watts,
Chaman,	Houk,	Preston	Webber,
Cole,	Hunt,	Reader,	Wellman,

Mr. Cross, Damon, Diekema, Dillon,	Mr. Jones, Killean, Linton, Makelim,	Mr. Rentz, Robinson, J.W. Rogers,	Mr. Williams, T.H. Wood, Speaker,	74
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NAYS.

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Title agreed to.

On motion of Mr. Abbott,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 418, entitled

A bill making appropriations for the state board of fish commissioners for the year ending June 30th, 1888 and the year ending June 30th, 1889,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means beg leave to submit as a supplemental report on

House bill No. 418, entitled

A bill making appropriations for the State board of fish commissioners for the year ending June 30th, 1888, and the year ending June 30th, 1889,

The estimates of desired expenditures as follows:

STATE BOARD OF FISH COMMISSIONERS.

ESTIMATES, JULY 1, 1887, TO JULY 1, 1888; AND JULY 1, 1888, TO JULY 1, 1889.

I.—CURRENT EXPENSES.

1. Commissioners' (3) expenses.....	\$800 00	
2. Superintendent.....	1,500 00	
3. Secretary and office.....	1,300 00	
4. Examination of waters.....	475 00	
5. Detroit Station.....	3,806 00	
6. Paris Station.....	3,400 00	
7. Petoskey Station.....	1,870 00	
8. Glenwood Station.....	800 00	
9. R. R. Transportation.....	3,184 94	
Total current expense, 1887-8.....	\$16,715 94	
Total current expense, 1888-9.....	16,715 94	
For the two years.....	\$33,431 88	\$33,431 88

II.—SPECIAL—PERMANENT IMPROVEMENTS.

1. Detroit Station.....	\$100 00	
2. Paris Station.....	5,000 00	
3. Petoakey Station	175 00	
4. Glenwood Station.....	110 00	
5. Examination of waters (nets and other permanent outfit).....	150 00	
Total special.....	\$5,535 00	\$5,535 00
Total current and special.....		\$38,986 88

COMPARISONS WITH ESTIMATES IN 1886.

	1886.	1887.
1. Commissioners.....1.....	\$750 00	\$800 00
2. Superintendent (1).....	2,200 00	1,500 00
3. Secretary and Office.....	1,825 00	1,300 00
4. Detroit Station (3).....	3,440 00	3,606 00
5. Paris Station (3).....	2,795 00	3,400 00
6. Petoakey Station (4).....	2,545 00	1,870 00
7. Glenwood Station	400 00	600 00
Totals.....	\$12,455 00	\$12,076 00

(1.) By a more complete system of accounts the expenses of the Superintendent are now charged to the particular station where the expenditure is incurred.

(2.) This increase is due wholly to the increased cost of getting eggs of whitefish and pickerel.

(3.) This increase is wholly due to the increased production of the station. Brook trout eggs in 1884, about 450,000; same in 1885, 740,000; same in 1886, 1,305,000; estimate for 1887, 1,800,000; estimate for 1888, 2,600,000.

(4.) The decrease here is due to the fact that the Board found it more advantageous, as well as more economical, to get all whitefish eggs on Detroit river, combining this force with Detroit Station, and on St. Clair river for pickerel.

ESTIMATES IN DETAIL.

1.—CURRENT EXPENSES.

1. Commissioners—		
Their duties require attendance at monthly Board meetings; inspection or work in gathering ova; inspection of stations, and crews in the field examining inland waters; attending legislative committees, and American Fisheries Society. The Commissioners have no railroad passes. The Commissioners receive no compensation for their services		\$800 00
2. Superintendent—		
Salary, \$1,200; expenses attending meetings of the Board, visiting Stations, overseeing all practical operations, \$800.....	\$1,500 00	1,500 00
3. Secretary and office—		
Salary, \$700; expenses, \$50	\$750 00	
Rent, \$250; stationery and postage, printing and binding, \$800.....	550 00	
		1,300 00
4. Examination of inland waters—		
Six men, three months out, living expenses.....	\$375 00	
Travel with outfit, off railroad lines.....	50 00	
Transporting fish for stocking.....	50 00	
		475 00

5. Detroit Station—Whitefish, Pickerel—		
Overseer, salary, \$600; expenses, \$100.....	\$700 00	
Assistant, salary, \$480; expenses, \$75.....	555 00	
Water supply, \$350; royalty on jars, \$156.....	506 00	
Ground rent, \$200; insurance, \$55.....	255 00	
Rent of three fisheries, \$350; supplies and repairs, \$215.....	565 00	
Baggage cars for planting young fish.....	286 00	
Extra help gathering whitefish ova, \$800, and pickerel, \$150; planting whitefish, \$200, and pickerel \$60; fuel and lights, etc., \$90.....	800 00	
		3,006 00
6. Paris Station—Trout and Grayling—		
Overseer, \$600; expense, \$125.....	\$725 00	
Assistant, \$480; expenses, \$50.....	530 00	
Assistant, \$480; assistant, \$420.....	900 00	
Fish food and express charges, \$350; insurance, \$35.....	415 00	
Fuel, lights, paints, hardware, other supplies, and repairs to apparatus.....	200 00	
Extra help gathering ova, work on grounds and grayling work.....	280 00	
Planting expenses, teaming, etc.....	250 00	
		\$2,400 00
7. Petoakey Station—Whitefish—		
Overseer, \$600; expenses, \$125.....	\$725 00	
Assistant, \$300; car for planting, \$75.....	375 00	
Royalty on jars, \$104; insurance, \$35.....	139 00	
Repairs, fuel, lights, and supplies.....	150 00	
Extra help, planting, etc., \$940; care of grounds, \$36.....	976 00	
		\$1,970 00
8. Glenwood Station—Carp—		
Overseer, \$600; expenses and extra help shipping, and fish-food, \$100.....	\$600 00	
		600 00
9. Estimates for R. R. transportation.....		
		3,164 94
		<u>\$16,715 94</u>

II.—SPECIAL—PERMANENT IMPROVEMENTS.

1. Detroit Station—		
Front porch enclosed, \$40; new spigots, tubes and screens, \$90.....	\$100 00	\$100 00
2. Petoakey Station—		
New hydrant for fire protection, and hose.....	\$75 00	
Paint and painting buildings.....	100 00	
		175 00
3. Glenwood Station—		
New cans, \$45; screens and sluices, \$35.....	\$80 00	
Work on ponds, and waste.....	30 00	
		110 00
4. Paris Station—		
New hatching house, 40x32½, capacity 4,000,000.....	\$3,250 00	
Repairs to dams injured by flood, and finishing waste ditch.....	400 00	
Five new stock ponds, Cheesey creek.....	350 00	
Grading, sodding and fencing Cheesey creek.....	250 00	
Clearing and fencing on Buckhorn creek.....	325 00	
Grayling, and other ponds on Buckhorn creek.....	425 00	
		5,000 00
6. Examination of waters (nets and permanent apparatus).....		
		150 00
		<u>\$5,535 00</u>

RECAPITULATION.

I.—Current: First year.....	\$16,715 94	
Second year.....	16,715 94	
II.—Special.....	5,535 00	
		\$38,966 88

NOTE.—The foregoing estimates, it will be noticed, are to carry on the present work of the Board at its established stations, and provides for no increase of production, except for the brook and other trout work at Paris, and for carp at Glenwood. The figures are based on actual expenditures of the past two years.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following :

EXECUTIVE OFFICE,
Lansing, April 23, 1887. }

To the House of Representatives :

I have this day approved, signed and deposited in the office of the Secretary of State,

[House bill No. 539 (file No. 265), being]

An act to amend an act entitled "An act to revise the charter of the city of East Saginaw," being act No. 355 of local acts of 1885, approved May 19, 1885, being amendatory of an act entitled "An act to incorporate the city of East Saginaw," approved April 14, 1859, as amended by the several acts amendatory thereof,

C. G. LUCE, Governor.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 369. (file No. 129), entitled

A bill to amend sec. 1 of act No. 145 of the public acts of 1881 entitled, "An act establishing a lien for labor and services upon logs, timber, cedar posts, telegraph poles, railroad ties, tan bark, shingle bolts and staves," and to repeal act No. 185 of the session laws of 1873, entitled "An act establishing a lien for labor and services upon logs and timbers," as amended by act No. 279 and all other acts, being section 8412 Howell's annotated statutes, relative to liens for labor,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on lumber and salt.

The Speaker also announced the following :

SENATE CHAMBER,
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to re-transmit the following bill :

Senate bill No. 42 (file No. 22), entitled

A bill in relation to jurors in courts of record in the county of Wayne, and to revise the laws relative thereto,

Concerning which certain matters of difference heretofore existed between the two Houses, and upon which differences a committee of conferences was appointed, as appears by prior messages ;

Which said committee of conference this day rendered to the Senate the following report, viz :

To the Honorable President and Members of the Senate:

Your committees who were appointed as a joint conference committee to take under consideration certain proposed amendments to

Senate bill No. 42 (file No. 22), entitled,

"A bill in relation to jurors in courts of record in the county of Wayne, and to revise the laws relative thereto,"

Respectfully report that they have had a conference, and the result of said conference is as follows:

That the conference committee recommend that the amendment proposed by the House of Representatives to section 5 of the bill by striking out the following words, viz: "freeholders or owners in their own right of personal property of the value of at least two hundred dollars," occurring in lines 3 and 4 of said section be concurred in by the Senate.

The reason of this recommendation, aside from the desire your joint committee had to reach an agreement upon this bill, is that the joint committee understands that it is the policy of the present executive of this State, as it was that of his two predecessors, that property qualification should not be required as a necessary pre-requisite for the citizens of the State to exercise the functions appertaining to the discharge of any of the duties of citizenship.

The conference committee farther recommend that the amendment proposed by the House of Representatives occurring in line 6 of section 25 of the bill, by inserting after the word "colleges" the words "the senior member of any firm of druggists or pharmacists," be not concurred in, and that the House of Representatives recede from such amendment.

The conference committee still further recommend that the proposed amendment by the House of Representatives, being entire section 28, which reads as follows: "Not more than six members of the Board of Jury Commissioners shall be members of the same political party," be not concurred in, and the House of Representatives recede from such amendment, as your conference committee consider that such a provision is directly in conflict with the opinion of our Supreme Court as expressed in the case of "The Attorney General vs. Detroit Common Council," 58 Michigan, 213, which holds that "Matters of individual conscience, including opinions on political subjects, cannot affect a citizen in any of his legal and political rights, and making particular political opinions a condition to holding office is unconstitutional."

Your conference committee express the hope that the foregoing recommendations may be accepted by your honorable body, and that the bill as otherwise prepared may be passed, and ask to be discharged from the farther consideration of the subject.

J. W. BABCOCK,
JNO. A. SHARP,
O. W. WISNER,

Conferees on the part of the Senate.

JUDSON GRENELL,
ERASTUS N. BATES,

Conferees on the part of the House.

And to inform the House that the Senate has adopted said report, and has concurred in all the recommendations of said committee by a majority vote

of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The question being on concurring in the report made by the conference committee,

On motion of Mr. Grenell,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapell,	Mr. Hoaglin,	Mr. Perkins,
Allen,	Chapman,	Hoobler,	Pettit,
Anderson,	Cole,	Hunt,	Reader,
Ashton,	Cross,	Jones,	Rogers,
Baker, W. A.,	Damon,	Kelley,	Rumsey,
Bardwell,	Diekema,	Killeen,	Simpson,
Bates,	Dillon,	Makelim,	Snow,
Beecher,	Douglass,	McCormick,	VanOrthwick,
Bettinger,	Dunbar,	McMillan,	Vickary,
Bentley,	Eldred,	Mulvey,	Watson, F. H.,
Breen,	Goodrich,	Ogg,	Watson, H.
Burr,	Green,	O'Keefe,	Speaker,
Case,	Grenell,	Oviatt,	51

NAYS.

Mr. Engleman,	Mr. Manly,	Mr. Rentz,	Vroman,
Haskin,	Pardee,	Robinson, J. W.	Washburn,
Herrington,	Pierce,	Rounsville,	Wellman,
Hosford,	Powers,	Stuart,	15

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 266 (file No. 145), entitled

A bill to amend section 1 of chapter 9 of act No. 326 of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, And to inform the House that the Senate has amended the same, as follows, viz:

1. By inserting in line 8 of section 1 after the word "issue," the words "one-fourth of the amount of such lands as shall be issued shall be of the sum of one hundred dollars each and the remainder;"

2. By striking out of line 9 of section 1 the word "seven" and inserting the in lieu thereof the word "five."

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Ogg moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Ogg,

The House concurred, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Killean,	Mr. Robinson, J. W.
Allen,	Douglass,	Manly,	Rogers,
Ashton,	Dunbar,	McCormick,	Rumsey,
Baker, W. A.,	Eldred,	McMillan,	Simpson,
Bardwell,	Engleman,	Mulvey,	Snow,
Bates,	Green,	Ogg,	Stuart,
Beecher,	Grenell,	O'Keefe,	VanOrthwick,
Bettinger,	Haskin,	Oviatt,	Vickary,
Bentley.	Hoaglin,	Pardee,	Washburn,
Case,	Holt,	Perkins,	Watson F. H.,
Chamberlain,	Hoobler,	Pettit,	Watson, H.,
Chapell,	Hosford,	Pierce,	Watts,
Chapman,	Houk,	Powers,	Webber,
Cole,	Hunt,	Preston,	Wellman,
Damon,	Jones,	Reader,	Speaker
Diekema,	Kelly,	Rentz,	

63

NAYS.

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 333 (file No. 287), entitled

A bill to amend section 4 of chapter 12 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, and being act number 326 of the session laws of 1883,

And to inform the House that the Senate has amended the same as follows:

By striking out of line 4 of section 1 the word "session laws," and inserting in lieu thereof the words "local acts,"

And further to inform the House that the Senate has amended the title of the bill as follows:

By striking out the words "session laws," and inserting in lieu thereof the words "local acts,"

In the passage of which, as thus amended, and with the title so amended,

the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Grenell moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Grenell,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dillon,	Mr. Killean,	Mr. Powers,
Anderson,	Douglass,	Linton,	Preston,
Ashton,	Dunbar,	Makelim,	Reader,
Baker, W. A.,	Eldred,	Manly,	Rentz,
Bardwell,	Engleman,	McCormick,	Robinson, J. W.
Bates,	Goodrich,	McGregor,	Rogers,
Beecher,	Green,	McKie,	Rumsey,
Bettinger,	Grenell,	McMillan,	Snow,
Breen,	Haskin,	Mulvey,	Thompson,
Burr,	Herrington,	Ogg,	Van Orthwick,
Case,	Hoaglin,	O'Keefe,	Vickary,
Chamberlain,	Hoobler,	Oviatt,	Washburn,
Chapell,	Houk,	Pardee,	Watson, F. H.,
Chapman,	Hunt,	Perkins,	Watson, H.
Cole,	Jones,	Pettit,	Watts,
Damon,	Kelley,	Pierce	Speaker,
Diekema,			65

NAYS.

Mr. Holt,

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following;

SENATE CHAMBER. }
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 451, entitled

A bill to amend section 8 of act No. 374 of the session laws of 1869, en-

titled "An act to incorporate the village of Portland, Ionia county," approved March 13, 1869, as amended by act No. 229 of the session laws of 1871, approved March 18, 1871,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bills:

1. House bill No. 489, entitled

A bill to amend section 1 of act No. 222, session laws of 1873, entitled "An act to incorporate the village of Pierson," as amended by act No. 322 of session laws of 1879," approved March 29, 1879.

2. House bill No. 816, entitled

A bill to authorize the city of Kalamazoo to purchase grounds, erect buildings thereon and maintain a city hospital.

3. House bill No. 246, entitled

A bill to amend sections 2 and 4 of article 6 of act No. 290 of the session laws of 1867, entitled An act to incorporate the village of St. Johns, and the acts amendatory thereof.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The three named bills were referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 169 (file No. 195), entitled

A bill to make it a misdemeanor to remove, destroy, damage, or dispose of any personal property that shall have been seized by due process of law issued from any court of competent jurisdiction in the State, while such seizure or levy is in force, without first giving the bond or other security therefor, if any, required by law, and to provide the punishment therefor,

Which has passed the Senate by a majority vote of all the Senators elect,

and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on judiciary.

THIRD READING OF BILLS.

House bill No. 358 (file No. 297), entitled

A bill to prohibit the use of scrip or store orders in the payment of wages of laborers in mines, mills, shops and factories.

Was read a third time, and pending the taking the vote on the passage thereof,

Mr. Ogg moved to amend the bill by inserting in line 2, sec. 1, after the word "labor," the words "operating mines, mills, shops and factories,"

Which motion prevailed, two thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Goodrich,	Mr. McKie,	Mr. Rounsville,
Allen,	Green,	McMillan,	Simpson,
Anderson,	Grenell,	Mulvey,	Snow,
Bardwell,	Haskin,	Ogg,	Stuart,
Bates,	Hoaglin,	O'Keefe,	Thompson,
Bettinger,	Hoobler,	Oviatt,	VanOrthwick,
Bentley,	Hosford,	Pardee,	Vickary,
Breen,	Hunt,	Perkins,	Vroman,
Burr,	Jones,	Pettit,	Washburn,
Chapman,	Kelley,	Pierce,	Watson, F. H.,
Cole,	Killean,	Powers,	Watson, H.,
Damon,	Linton,	Reader,	Wellman,
Diekema,	Makelim,	Rentz,	Williams, T. H.
Dillon,	Manly,	Robinson, J. W.	Wood,
Eldred,	McCormick,	Rogers,	Speaker,
Engleman,	McGregor,		62

NAYS.

Mr. Baker, W. A.,	Mr. Chapell,	Mr. Herrington,	Mr. Houk,
Chamberlain,	Dunbar,		6

Mr. J. W. Robinson moved to reconsider the vote by which the House passed the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Herrington,

The bill was referred to the committees on judiciary and labor interests, jointly.

House bill No. 463 (file No. 336), entitled

A bill to amend sections Nos. 26, 31, and 41 of an act entitled "An act to provide for holding general and special elections," being compiler's sections No. 162, 167 and 177 of Howell's annotated statutes,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. H. Watson,

The bill was laid on the table.

House bill No. 749 (file No. 304), entitled

A bill to authorize Edwin A. Bullard to build and maintain a dam across Cass river,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Linton,	Mr. Rounsville,
Allen,	Damon,	Manly,	Simpson,
Anderson,	Dunbar,	McGregor,	Snow,
Ashton,	Engleman,	McKie,	Spencer,
Baker, W. A.,	Goodrich,	McMillan,	Stuart,
Bardwell,	Green,	Mulvey,	Thompson,
Bates,	Grenell,	Oviatt,	VanOrthwick,
Beecher,	Haskin,	Pardee,	Vickary,
Bettinger,	Hoaglin,	Perkins,	Vrooman,
Bentley,	Hoobler,	Pettit,	Washburn,
Breen,	Hosford,	Pierce,	Watson, H.,
Burr,	Houk,	Powers,	Watts,
Case,	Hunt,	Reader,	Webber,
Chamberlain,	Jones,	Rentz,	Wellman,
Chapell,	Kelley,	Robinson, J. W	Wood,
Chapman,	Killean,	Rogers,	Speaker, 64

NAYS.

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Title agreed to.

On motion of Mr. Damon,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 320 (file No. 156), entitled

A bill to create a fund for and to provide for the payment of certain damages for sheep and lambs killed or wounded by dogs within the city of Jackson and the townships of Summit and Blackman, in the county of Jackson, State of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Jones,	Mr. Powers,
Allen,	Damon,	Kelley,	Reader,
Anderson,	Dillon,	Killean,	Rogers,
Ashton,	Douglass,	Manly,	Rounsville,
Baker, W. A.,	Dunbar,	McCormick,	Rumsey,
Bardwell,	Eldred,	McGregor,	Simpson,
Bates,	Goodrich,	McMillan,	VanOrthwick,

Mr. Beecher,	Mr. Grenell,	Mr. Mulvey,	Mr. Vroman,
Bettinger,	Haskin,	O'Keefe,	Washburn,
Bentley,	Hoaglin,	Oviatt,	Watson, F. H
Breen,	Holt,	Perkins,	Watts,
Burr,	Houk,	Pettit,	Webber,
Case,	Hunt,	Pierce,	Speaker,
Chapman,			

53

NAYS.

Mr. Rentz,	Mr. Williams, T.H.	2
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Title agreed to.

On motion of Mr. Watts,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 417 (file No. 303), entitled

A bill to authorize and empower the board of control of State swamp lands to construct a ditch through the townships of Hebron and Mackinaw, in Cheboygan county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Kelley,	Mr. Robinson, J.W.
Allen,	Dillon,	Killean,	Rogers,
Anderson,	Douglass,	Makelim,	Rounsville,
Ashton,	Dunbar,	Manly,	Rumsey,
Baker, W. A.,	Eldred,	McCormick,	Simpson,
Bardwell,	Engleman,	McGregor,	Snow,
Bates,	Goodrich,	McKie,	Stuart,
Beecher,	Green,	McMillan,	Thompson,
Bettinger,	Grenell,	Mulvey,	Van Orthwick,
Bentley,	Haskin,	Oviatt,	Washburn,
Breen,	Hoaglin,	Perkins,	Watson, F. H.,
Burr,	Holt,	Pettit,	Watson, H.,
Case,	Houk,	Powers,	Watts,
Cole,	Hunt,	Reader,	Wellman,
Cross,	Jones,	Rentz,	Speaker,
Damon,			

61

NAYS.

Mr. Wood,	1
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Title agreed to.

On motion of Mr. Perkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 453 (file No. 340), entitled

A bill to provide for the payment of damages by corporations for the loss of life by the carelessness or neglect of corporations or their employees,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Makelim,	Mr. Rounsvelle
Allen,	Diekema,	Manley,	Rumsey,
Anderson,	Dillon,	McCormick,	Snow,
Baker, S.,	Douglass,	McKie,	Stuart,
Baker, W. A.,	Dunbar,	Mulvey,	Thompson,
Bardwell,	Eldred,	Ogg,	Van Orthwick,
Bates,	Goodrich,	O'Keefe,	Vroman,
Beecher,	Grenell,	Oviatt,	Washburn,
Bettinger,	Hoaglin,	Perkins,	Watson, F. H.
Bentley,	Hosford,	Pettit,	Watson H.
Breen,	Hunt,	Powers,	Webber,
Case,	Jones,	Reader,	Wellman,
Chapell,	Kelley,	Rentz,	Wood,
Cole,	Killean,	Rogers,	Speaker,
Cross,	Linton,		

58

NAYS.

Mr. Holt,	Mr. McGregor,	2
Title agreed to.		

House bill No. 620, entitled

A bill to amend section 15 of act No. 172 of the session laws of 1885, entitled "An act to amend sections 10 and 12 of chapter 268, compiled laws of 1871, being compiler's sections 8135 and 8137 as amended by act 84, No. public acts of 1877, relative to the reform school, being sections 9817 and 9819 of Howell's annotated statutes of 1882, and to add a new section to stand as section 15,"

Was read a third time and passed, a majority of all the members electing therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Holt,	Mr. Oviatt,
Allen,	Cross,	Hosford,	Perkins,
Anderson,	Damon,	Jones,	Pierce,
Ashton,	Diekema,	Kelley,	Powers,
Baker, W. A.,	Dillon,	Killean,	Reader,
Bardwell,	Douglass,	Linton,	Rentz,
Bates,	Dunbar,	Makelim,	Rumsey,
Beecher,	Eldred,	Manly,	Simpson,
Bettinger,	Engleman,	McCormick,	Thompson,
Bentley,	Goodrich,	McGregor,	Vickary,
Breen,	Green,	McKie,	Washburn,
Burr,	Grenell,	Mulvey,	Watson, F. H.
Case,	Haskin,	Ogg,	Watts,
Chapell,	Hoaglin,	O'Keefe,	Wellman,

56

NAYS.

Mr. Hunt,	Mr. Snow,	Mr. Watson, H.,	Mr. Wood,
Pardee,	Van Orthwick,	Williams, T. H.,	

7

Mr. Herrington moved to take from the table the title and enacting clause of

House bill No. 94 (file No. 46), entitled

A bill to amend section 6393 of Howell's annotated statutes of Michigan, relative to salaries of justices of the supreme court.

Which motion prevailed.

On motion of Mr. Herrington,

The bill was referred to the committee on the judiciary.

Mr. Rumsey offered the following:

WHEREAS, There have been several exhibitions of expeditious work in the way of printing during this session which ought not to be passed by without special notice; therefore

Resolved, That the thanks of this House are due and hereby tendered to Messrs. Thorp and Godfrey, State printers, for the extraordinary promptness with which they have executed the large and cumbersome jobs of printing furnished by the various investigating committees and the Dakin trial.

Which was adopted.

On motion of Mr. Simpson,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

THIRD READING OF BILLS.

House bill No. 335 (file No. 335), entitled

A bill to amend act No. 45 of the session laws of 1882, entitled An act authorizing the common council of the city of Detroit, with the concurrence of the city council thereof, to make a re-assessment to defray the expense of a public improvement on Jefferson avenue, a street in said city from the east curb line of Beaubien street to the railroad bridge in said city,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Lakey,	Mr. Reader,
Allen,	Dillon,	Linton,	Robinson, J. W.
Anderson,	Douglass,	Manly,	Rogers,
Ashton,	Dunbar,	McCormick,	Rounsville,
Bardwell,	Eldred,	McGregor,	Rumsey,
Beecher,	Engleman,	McKie,	Stuart,
Bettinger,	Goodrich,	McMillan,	Thompson,
Bentley,	Green,	Mulvey,	VanOrthwick,
Breen,	Grenell,	Ogg,	Vickary,
Brock,	Haskin,	O'Keefe,	Washburn,
Burr,	Hoaglin,	Oviatt,	Watson, F. H.,
Chamberlain,	Hosford,	Pardee,	Watson, H.,
Chapell,	Hunt,	Perkins,	Watts,
Chapman,	Jones,	Pettit,	Webber,
Cole,	Kelley,	Powers,	Speaker,
Cross,	Killean,		

NAYS.

Mr. Wood,

1

Title agreed to.

On motion of Mr. Bettinger,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 766 (file No. 301), entitled

A bill to provide for the construction of side-walks in townships outside of villages and cities, across drains and ditches and natural water courses,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Diekema moved to amend the bill by striking out the word "commissioner" whenever it occurs and inserting the word "overseer" in lieu thereof.

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Killean,	Mr. Rentz,
Allen,	Dillon,	Lakey,	Robinson, J. W.
Bardwell,	Douglass,	Linton,	Rumsey,
Baumgardner,	Goodrich,	Makelim,	Simpson,
Bettinger,	Green,	Manly,	Stuart,
Bentley,	Grenell,	McCormick,	Thompson,
Breen,	Holt,	McKie,	Vickary,
Brock,	Hoobler,	McMillan,	Vroman,
Burr,	Hosford,	Mulvey,	Washburn,
Chapell,	Houk,	Ogg,	Watson, H.,
Cole,	Hunt,	Perkins,	Webber,
Damon,	Jones,	Powers,	Wellman,
Engleman,	Kelly,	Reader,	51

NAYS.

Mr. Bates,	Mr. Cannon,	Mr. Haskin,	Mr. Rounselle,
Beecher,	Eldred,	Pettit,	Watts,
			8

Title agreed to.

House bill No. 297 (file No. 300), entitled

A bill to authorize and regulate the purchase of text books and supplies by school boards, for use in public schools,

Was read a third time and not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ashton,	Mr. Engelman,	Mr. Mulvey,	Mr. Vickary,
Baumgardner,	Green,	Ogg,	Washburn,
Bettinger,	Grenell,	Oviatt,	Watson, F. H.,
Breen,	Haskin,	Perkins,	Watts,
Cannon,	Hoobler,	Powers,	Wellman,
Case,	Killean,	Reader,	Williams, T. H.
Chapell,	Linton,	Robinson, J. W.	Wood,
Cole,	Makelim,	Snow,	Speaker,
Dillon,	Manly,	Thompson,	35

NAYS.

Mr. Abbott,	Mr. Damon,	Mr. McCormick,	Mr. Rogers,
Allen,	Diekema,	McKie,	Rounsville,
Anderson,	Dunbar,	McMillan,	Rumsey,
Bardwell,	Hoaglin,	O'Keefe,	Simpson,
Beecher,	Hosford,	Pardee,	Stuart,
Bentley,	Hunt,	Pettit,	VanOrthwick,
Brock,	Jones,	Pierce,	Watson, H.,
Burr,	Kelley,	Rentz,	Webber,
Chapman,			

33

Mr. Rounsville moved to reconsider the vote by which the House refused to pass the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Dillon,

The bill was laid upon the table.

House bill No. 597 (file No. 323), entitled

A bill to amend section 4 of chapter No. 2, and section No. 21 of chapter No. 4 of act No. 227 of the public acts of 1885, being an act to provide for the construction and maintenance of drains, and the assessment and collection of taxes therefor, and to repeal all other laws relative thereto,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Dickema,

The bill was laid on the table.

Senate bill No. 350 (file No. 183), entitled,

A bill to amend section 37 of act number 135 of the session laws of 1885, approved June 3, 1885, entitled "An act to amend, revise and consolidate the laws organizing asylums for the insane, and regulating the care and management thereof, and of the inmates therein, and to repeal act 164, laws of 1859; also act 194, laws of 1877; also act 91, laws of 1873, and the acts amendatory thereto; also act 172, laws of 1873,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Lakey,	Mr. Rentz,
Allen,	Cross,	Linton,	Rogers,
Anderson,	Damon,	Manly,	Rounsville,
Ashton,	Dillon,	McCormick,	Rumsey,
Bardwell,	Douglass,	McGregor,	Simpson,
Bates,	Dunbar,	McMillan,	Stuart,
Baumgardner,	Eldred,	Mulvey,	Thompson,
Beecher,	Goodrich,	Ogg,	VanOrthwick,
Bettinger,	Haskin,	O'Keefe,	Vickary,
Bentley,	Hoaglin,	Oviatt,	Washburn,
Breen,	Hosford,	Pardee,	Watson, F. H.
Brock,	Houk,	Perkins,	Watson, H.,
Burr,	Hunt,	Pettit,	Watts,
Cannon,	Jones,	Pierce,	Webber,
Case,	Kelley,	Powers,	Wellman,
Chapman,	Killeen,	Reader,	Wood,

64

NAYS.

0

Mr. Abbott moved to reconsider the vote by which the House passed the bill,

Which motion prevailed.

The question being on the passage of the bill,

Mr. Abbott moved to amend the bill by striking out in line 2, section 1, the words "session laws," and inserting the words "public acts" in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott.	Mr. Damon,	Mr. Killean.	Mr. Robinson, R.,
Allen,	Dillon,	Linton,	Rogers,
Anderson,	Douglass,	Manly,	Roundsville,
Ashton,	Dunbar,	McCormick,	Rumsey,
Bardwell,	Eldred,	McGregor,	Simpson,
Bates,	Engleman,	McMillan,	Snow,
Baumgardner,	Goodrich,	Mulvey,	Stuart,
Beecher,	Grenell,	Ogg,	Thompson,
Bettinger,	Haskin,	Oviatt,	Van Orthwick,
Bentley,	Hoaglin,	Pardee,	Vickary,
Brock,	Holt,	Perkins,	Vroman,
Burr,	Hoobler,	Petitt,	Watson F. H.
Cannon,	Hosford,	Powers,	Watson, H.,
Chamberlain,	Houk,	Reader,	Watts,
Chapell,	Hunt,	Rentz,	Webber,
Chapman,	Jones,	Robinson, J. W.	Speakr,
Cross,	Kelley,		

66

NAYS.

Mr. Wood,

1

The question being on agreeing to the title,

Mr. Abbott moved to amend the title by striking out the words "session laws" and inserting the words "public acts" in lieu thereof.

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Abbott,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 287, entitled

A bill to cede jurisdiction to the United States of America, over land now occupied and to be occupied in the enlargement and improvement of "The Lake Superior Ship Canal Railway and Iron Company," and "The Portage Lake and River Improvement Company," Michigan,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Manly,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

House bill No. 304 (file No. 327), entitled,

A bill to amend sections 7 and 8 of an act entitled "An act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State," being sections 2155 and 2156 of Howell's annotated statutes, as amended by act No. 202 of the session laws of 1877, approved May 23, 1877,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Perkins .

The bill was laid upon the table.

House bill No. 273 (file No. 345), entitled

A bill to provide for the introduction and use of fire extinguishers upon all passenger and sleeping coaches run and operated by any railroad company or corporation doing business on any line of railroad within this State,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Hosford moved to strike out the enacting words of the bill,

Upon which motion,

Mr. Manly demanded the yeas and nays.

The demand was seconded, and the motion to strike out the enacting words did not prevail, by yeas and nays as follows:

YEAS.

Mr. Hosford,	Mr. O'Keefe,	Mr. Watts,	Mr. Williams, T. H.
McCormick,			5

NAYS.

Mr. Abbott,	Mr. Chapell,	Mr. Jones,	Mr. Robinson, J. W.
Allen,	Chapman,	Kelley,	Rogers,
Anderson,	Cole,	Killeen,	Rounsville
Ashton,	Cross,	Linton,	Rumsey,
Baker, S.,	Damon,	Manly,	Simpson,
Bates,	Diekema,	McGregor,	Snow,
Baumgardner,	Dillon,	McKie,	Thompson,
Beecher,	Dunbar,	Mulvey,	Van Orthwick,
Bettinger,	Eldred,	Ogg,	Vroman,
Bentley,	Goodrich,	Oviatt,	Watson, F. H.
Breen,	Grenell,	Perkins,	Watson, H.,
Brock,	Haskin,	Pettit,	Webber,
Burr,	Hoaglin,	Pierce,	Wellman,
Cannon,	Houk,	Powers,	Wood,
Case,	Hunt,	Reader,	Speaker. 60

The question being on the passage of the bill,

Mr. Houk moved to amend the bill by inserting in line 5, section 1 after the words "such pattern," the words "and of such number,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Baker, S.,	Mr. Damon,	Mr. Manly,	Mr. Rogers,
Baumgardner,	Diekema,	McGregor,	Rounsville,

Mr. Bettinger,	Mr. Douglass,	Mr. Mulvey,	Mr. Snow,
Bentley,	Dunbar,	O'Keefe,	Vroman,
Breen,	Eldred,	Perkins,	Watson, F. H.
Brock,	Herrington,	Powers,	Watson, H
Case,	Houk,	Reader,	Webber,
Chapell,	Jones,	Rentz,	Wellman,
Chapman,	Linton,	Robinson, J. W.	Wood,
Cole,	Makelim,		

38

NAYS.

Mr. Abbott,	Mr. Cannon,	Mr. Killean,	Mr. Pierce,
Allen,	Cross,	Lakey,	Rumsey,
Anderson,	Dillon,	McCormick,	Simpson,
Ashton,	Grenell,	McMillan,	Stuart,
Bardwell,	Haskin,	Ogg,	VanOrthwick
Bates,	Holt,	Pardee,	Watts,
Beecher,	Hosford,	Pettit,	Williams, T. H.
Burr,	Kelley,		

30

House bill No. 403 (file No. 280), entitled

A bill to provide for the election of the commissioner of insurance and to further enlarge and define the powers and duties of the insurance bureau,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Baumgardner,

The bill was laid on the table.

House bill No. 828 (file No. 344), entitled

A bill to amend section 10 of act 134 of the public acts of 1885, entitled "An act to regulate the practice of pharmacy in the State of Michigan,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Case,	Mr. Hunt,	Mr. Reader,
Allen,	Chamberlain,	Kelley,	Robinson, J. W.
Anderson,	Chapell,	Killean,	Rogers,
Ashton,	Chapman,	Lakey,	Rounsville,
Baker, S.,	Damon,	Linton,	Rumsey,
Baker, W. A.,	Diekema,	Manly,	Simpson,
Bardwell,	Douglass,	McKie,	Stuart,
Bates,	Eldred,	McMillan,	Thompson,
Beecher,	Goodrich,	O'Keefe,	VanOrthwick,
Bettinger,	Grenell,	Pardee,	Vroman,
Bentley,	Haskin,	Perkins,	Watts,
Breen,	Hoaglin,	Pettit,	Wood,
Brock,	Hoobler,	Pierce,	Speaker,
Burr,	Hosford,	Powers,	

55

NAYS.

Mr. Cannon,	Mr. Snow,	Mr. Wellman,
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3

Title agreed to.

The House took up the order of

REPORTS OF STANDING COMMITTEES.

By the committee on judiciary and labor interests:

The committee on judiciary and labor interests, to whom was referred
House bill No. 358 (file No. 297), entitled

A bill to prohibit the use of scrip or store orders in the payment of
wages of laborers in mines, mills, shops and factories,

Respectfully report that they have had the same under consideration and
have directed me to report the same back to the House, with amendments
thereto. recommending that the amendments be concurred in, and that the
bill, when so amended, do pass, and ask to be discharged from the fur-
ther consideration of the subject.

GERRITT J. DIEKEMA,

Chairman Committee on Judiciary.

GEORGE OVIATT,

Chairman Committee on Labor Interests.

Report accepted and committees discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the
committees.

On motion of Mr. Ogg,

The rules were suspended, two-thirds of all the members present voting
therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the mem-
bers elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Makelim,	Mr. Robinson, J. W.
Allen,	Diekema,	Manly,	Rounsville,
Anderson,	Dillon,	McCormick,	Rumsey,
Baker, S.,	Douglass,	McGregor,	Stuart,
Bardwell,	Eldred,	McKie,	Thompson,
Bates,	Engleman,	McMillan,	VanOrthwick,
Baumgardner,	Goodrich,	Mulvey,	Vickary,
Bettinger,	Green,	Ogg,	Vroman,
Bentley,	Grenell,	O'Keefe,	Washburn,
Breen,	Haskin,	Oviatt,	Watson, F. H.,
Brock,	Herrington,	Pardee,	Watson, H.,
Burr,	Hoobler,	Perkins,	Watts,
Chapell,	Hosford,	Pierce,	Webber,
Chapman,	Hunt,	Powers,	Wellman,
Cole,	Jones,	Reader,	Wood,
Cross,	Killean,	Rentz,	Speaker, 64

Mr. Hoaglin,

NAYS.

1

Title agreed to.

By the committee on judiciary:

The committee on judiciary, to whom was referred the title and enacting
clause of

House bill No. 94 (file No. 46), entitled

A bill to amend section 6393 of Howell's annotated statutes of Michigan,
relative to salaries of justices of the supreme court,

Respectfully report that they have had the same under consideration, and have restored and amended said bill, and have directed me to report the same back to the House as a substitute therefor, entitled

A bill to amend section 1 of act No. 1 of the public acts of 1873, entitled "An act to amend section 14 of an act entitled 'An act to provide for the organization of the supreme court, pursuant to section 2 of article 6 of the constitution.' " approved February 16, 1857, being compiler's section 6393 of Howell's annotated statutes of Michigan,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. F. H. Watson,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time, and the question being upon its passage, pending the taking of the vote thereof,

Mr. Webber moved to amend the bill by striking out in line 2, recited Sec. 6393, the word "five" and inserting the word "three" in lieu thereof.

Which motion did not prevail

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Cross,	Mr. Kelley,	Mr. Reader,
Anderson,	Diekema,	Killean,	Rentz,
Ashton,	Dillon,	Lakey,	Robinson, J. W.
Baker, S.,	Douglass,	Linton,	Rounsville,
Bardwell,	Dunbar,	Makelim,	Rumsey,
Baumgardner,	Goodrich,	McCormick,	Snow,
Beecher,	Green,	McGregor,	Thompson,
Bettinger,	Grenell,	McMillan,	Vickary,
Breen,	Herrington,	Mulvey,	Washburn,
Brock,	Holt,	Ogg,	Watson, F. H.,
Cannon,	Hoobler,	O'Keefe,	Watson, H.
Case,	Hosford,	Oviatt,	Wellman,
Chamberlain,	Houk,	Perkins,	Speaker,
Chapell,	Jones,		

54

NAYS.

Mr. Abbott,	Mr. Eldred,	Mr. McKie,	Mr. VanOrthwick,
Bates,	Engleman,	Pardee,	Vroman,
Burr,	Haskin,	Pettit,	Watts,
Chapman,	Hoaglin,	Pierce,	Webber,
Cole,	Hunt,	Powers,	Wood,
Damon,	Manly,	Rogers,	

23

Title agreed to.

Mr. Herrington moved that the bill be ordered to take immediate effect,
Which motion did not prevail.

By the committee on liquor traffic:

The committee on liquor traffic, to whom was referred

Senate bill No. 192 (file No. 72), entitled

A bill to amend act No. 259 of the public acts of 1881, entitled "An act to regulate the sale of spirituous, malt, brewed, fermented and vinous liquors, to prohibit the sale of such liquors to minors, to intoxicated persons, and to persons in the habit of getting intoxicated; to provide a remedy against persons selling liquor to husbands or children in certain cases, and to repeal all acts or parts of acts inconsistent herewith," approved June 10, 1881, as amended by acts 178, 187, and 191 of the public acts of 1883, by adding a new section thereto, to stand as section 17, in relation to costs,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY WATSON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on liquor traffic :

The committee on liquor traffic, to whom was referred

House bill No. 660, entitled

A bill to provide for the appointment of a State Marshal, and to prescribe his powers and duties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

HENRY WATSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Damon,

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 331, entitled

A bill to amend section 2 of chapter 4, and section 1 of chapter 10, of act number 326, of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, as amended by act approved June 10, 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Green,

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on municipal corporations.

The committee on municipal corporations to whom was referred House bill No. 262, entitled

A bill to amend section 5 of chapter 1, and section 1 of chapter 2, of act No. 326 of session laws of 1883, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," relative to the election districts and the city board of registration,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section one of chapter two and sections 1, 2, 3, 4, 5, 12, 13 and 17 of chapter 3 of act No. 326 of local acts of 1883, entitled an act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith, approved June 7, 1883, relating to registration and elections in said city.

Recommending that the substitute be concurred in and that the substitute be printed for the use of the committee.

ERASTUS N. BATES, *Chairman.*

Report accepted.

On motion of Mr. Bates,

The bill was ordered printed for the use of the committee.

MOTIONS AND RESOLUTIONS.

Mr. Bentley moved to take from the table:

House bill No. 719, entitled

A bill to incorporate protective associations in this State for the purpose of the cultivation, distillation and sale of peppermint and other essential oils,

Which motion prevailed.

On motion of Mr. Bentley,

The bill was referred to the committee on private corporations.

Mr. Green moved that a respectful message be sent to the Senate asking the return to the House of

Senate bill No. 143 (file No. 114), entitled

A bill to amend section 4345 of the compiled laws of the year 1871, being section 5808 of Howell's annotated statutes relative to wills of real and personal estate,

Which motion prevailed.

Mr. Damon offered the following:

Resolved, That hereafter the daily sessions of this House begin at 9:30

A. M.

Mr. Bates moved to amend the resolution by making the hour 9 o'clock

A. M.,

Which was not agreed to.

The resolution was then not adopted.

GENERAL ORDER.

On motion of Mr. Hoaglin,

The House went into committee of the whole on the general order, Whereupon the Speaker called Mr. Baumgardner to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following bills:

1. House bill No. 371 (file No. 268), entitled

A bill to regulate the trial of actions for damages arising from negligence.

2. House bill No. 366 (file No. 133), entitled

A bill to provide for laying out and establishing a State road to connect the Bay City, Au Sable, and Alpena State road with the Tawas, and Manistee State road, in the counties of Arenac, Iosco and Ogemaw.

3. House bill No. 437 (file No. 343), entitled

A bill to amend section 6200 of chapter 234 of Howell's annotated statutes of the State of Michigan, relative to the foreclosure of chattel mortgages and pledges.

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

4. Senate bill No. 55 (file No. 48), entitled

A bill making an appropriation for the Asylum for Insane Criminals.

5. House bill No. 692 (file No. 347), entitled

A bill to amend section number 3377 of Howell's annotated statutes of Michigan as amended by act number 234 of session laws of 1885, relative to the fences of railroad companies.

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

6. House bill No. 209 (file No. 90), entitled

A bill to amend section 9 of act No. 259 of the session laws of 1881, entitled "An act to regulate the sale of spirituous, malt, brewed, fermented and vinous liquors to minors, to intoxicated persons, and to persons in the habit of getting intoxicated, to provide a remedy against persons selling liquor to husbands and children in certain cases, and to repeal all acts or parts of acts inconsistent herewith," being section 2278 of Howell's annotated statutes,

7. House bill No. 213 (file No. 318), entitled

A bill to provide for indeterminate sentence, also the management, disposition and release of convicts in the prisons of Michigan that are under State control.

And have directed their chairman to report the same back to the House with the recommendation that they be laid on the table.

W. G. BAUMGARDNER, *Chairman.*

Report accepted and committee discharged.

The first, second and third named bills were placed on the order of third reading.

On motion of Mr. Herrington,

The House concurred in the amendments made by the committee to the fourth and fifth named bills, and they were placed on the order of third reading of bills.

On motion of Mr. Rumsey,

The House concurred in the recommendation of the committee relative to the sixth named bill, and it was laid on the table.

On motion of Mr. Ogg,

The House concurred in the recommendation of the committee relative to the seventh named bill, and it was laid on the table.

On motion of Mr. Bettinger,

Leave of absence was granted to himself until Thursday noon.

On motion of Mr. Cannon,

Leave of absence was granted to himself for to-morrow.

On motion of Mr. Manly,

The House adjourned.

Lansing, Wednesday, May 4, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Ford.

Roll called: quorum present.

Absent without leave: Messrs. Cady, Crocker and Powers.

On motion of Mr. Breen,

Leave of absence was granted to Mr. Powers until Tuesday next.

On motion of Mr. Houk,

Leave of absence was granted to all absentees for the day.

PRESENTATION OF PETITIONS.

No. 1120. By Mr. Lakey: Memorial of St. Joseph temperance society of Kalamazoo.

On demand of Mr. Lakey,

The memorial was read at length and spread at large on the Journal as follows:

WHEREAS, The vote on the prohibitory amendment has shown that the people of Michigan are not satisfied with the present liquor law; and as a temperance organization this society feel it to be their duty to give expression to their views in regard to legislation on the liquor traffic;

Resolved, That in the opinion of this society the license for the sale of malt or spiritous liquors should be increased to \$500.00, with but one saloon for each one thousand of population in cities or towns where licenses are taken out;

Resolved, That in the opinion of this society no screens, curtains or frosting should be permitted to shut out full view of the interior of any saloon from the streets on which it fronts, and that music, games, etc., be forbidden in buildings in which liquor is sold;

Resolved, That in the opinion of this Society the mayor of any city, or president of any village, should be empowered to revoke any license given by such city or village on one conviction of violation of the laws regarding the sale of liquor;

Resolved, That in the opinion of this society all trials for violation of the liquor laws should be tried in the circuit courts;

Resolved, That these resolutions be spread on the minutes of this society, and a copy forwarded to the representative representing this district in the legislature of Michigan.

JOHN MCGOFF,
*Secretary St. Joseph Temperance Society,
Kalamazoo, Mich.*

Referred to the committee on liquor traffic.

No. 1121. By Mr. Lakey: Petition of Parson & Wood, Desmburg & Shuster and 105 other business men of Kalamazoo asking for the passage of the bill relative to amount allowed married men under the garnishee laws.

Referred to the committee on judiciary.

No. 1122. By Mr. F. H. Watson: Remonstrance of Parkhill & Son, Bigelow & Bigelow, D. M. Christian and 87 others, business men of Owosso, against any law intermeddling with the liquor law relative to druggists.

Referred to the committee on liquor traffic.

No. 1123. By Mr. Linton: Petition of E. T. Judd, Wm. Barie and 18 others, business men of East Saginaw, remonstrating against the taxing of druggists for the sale of liquor.

Referred to the committee on liquor traffic.

No. 1124. By Mr. Rentz: Petition of citizens of Wayne county for the erection and equipment of a mining school at Houghton, Mich.

Referred to the committee on ways and means.

No. 1125. By Mr. Rentz: Petition of the druggists of Detroit praying that the section in the bill now pending before the legislature requiring druggists to pay a tax on the business of selling intoxicating liquors be stricken out.

Referred to the committee on liquor traffic.

No. 1126. By Mr. Preston: Petition of John H. Withey and 34 others asking for the passage of House bill No. 530, relative to the insurance bureau.

Referred to the committee on ways and means.

No. 1127. By Mr. Simpson: Petition of J. C. Gould and 11 others relative to the liquor traffic.

Referred to the committee on liquor traffic.

No. 1128. By Mr. Cross: Petition of David Anderson and 26 other citizens of Van Buren county for the passage of a county local option law.

Referred to the committee on liquor traffic.

No. 1129. By Mr. Stuart: Petition of the druggists of Detroit praying that the section in the bill now pending before the legislature requiring druggists to pay a tax on the business of selling intoxicating liquors be stricken out.

Referred to the committee on liquor traffic.

Nos. 1130, 1131, 1132 and 1133. By Mr. Brock: Petition of K. of L. and citizens of this State, asking for the passage of

The Holbrook bill—To protect workmen against wrongful requirements by employers,

The Ogg bill—Forbidding the use of store orders in payment of wages,

The Ogg bill—To provide for the better protection of health, safety and comfort of persons employed in shops and factories,

And the Raiden bill—To repeal the Baker conspiracy law.

Referred to the committee on labor interests.

Also,

Nos. 1134, 1135 and 1136: Petition of K. of L. and citizens of this State asking for the passage of the Washburn bill to make employers liable for injuries sustained by their employed by reason of uncovered or unsafe machinery or scaffolding; the Grenell bill, to preserve the purity of elections and to provide a secret ballot; and the Grenell bill making nine hours a legal work-day for women and children.

Referred to the committee on judiciary.

Also,

No. 1137 and 1138: Petition of K. of L. and citizens of this State praying for the passage of the Breen bill, forfeiting unearned land grants; and the Ogg bill to prohibit non-resident aliens from holding land.

Referred to the committee on public lands.

Also,

No. 1139: Petition of K. of L. and citizens of this State asking for the passage of the Dillon bill, for the compulsory education of children.

Referred to the committee on education.

Also,

No. 1140: Petition of K. of L. and citizens of this State asking for the passage of the Hosford bill preventing corporations from engaging in retail mercantile business.

Referred to the committee on private corporations.

Also,

No. 1141: Petition of K. of L. and citizens of this State asking for the passage of the Breen bill to provide for mine inspectors.

Referred to the committee on school of mines.

No. 1142. By Mr. Webber: Petition of 14 business men of Ionia against druggists paying a liquor tax.

Referred to the committee on liquor traffic.

No. 1143. By Mr. Douglass: Petition of Fred W. Kroll and 70 others asking for the passage of the bill making an appropriation for the mining school.

Also,

No. 1144: Petition of E. Daniels and 72 others, same subject.

Also,

No. 1145: Petition of D. Hanshett and 70 others, same subject.

Also,

No. 1146. Petition of James H. Seager and 27 others; same subject.

Also,

No. 1147. Petition of J. Moran and 30 others; same subject.

Also,

No. 1148. Petition of C. Hadge and 51 others; same subject.

Also,

No. 1149. Petition of P. Holland and 53 others; same subject.

Also,

No. 1150. Petition of A. R. Gray and 70 others; same subject.

Also,

No. 1151. Petition of W. J. Ryan and 70 others; same subject.

Also,

No. 1152. Petition of J. N. Wright and 70 others; same subject.

Also,

No. 1153. Petition of I. M. Gellelt and 68 others; same subject.

Also,

No. 1154. Petition of Peter Floyd and 39 others; same subject.

Also,

No. 1155. Petition of Wm. Tonkin and 59 others; same subject.

Also,

No. 1156. Petition of J. E. Markey and 34 others; same subject.

Also,

No. 1157. Petition of S. B. Hains and 34 others; same subject.

Also,

No. 1158. Petition of E. C. Taylor and 78 others; same subject.

Also,

No. 1159. Petition of E. L. Wright and 34 others; same subject.

Referred to the committee on mines and minerals.

No. 1160. By Mr. T. H. Williams: Petition of Jackson druggists praying that the section in the bill now pending before the legislature, requiring druggists to pay a tax on the business of selling intoxicating liquors be stricken out.

Also,

No. 1161. Petition of ———Brown and others; same subject.

Also,

No. 1162. Petition of Wm. H. Snow and numerous others; same subject.

Referred to the committee on liquor traffic.

No. 1163. By Mr. Hoobler: Petition for the passage of the various labor bills.

On demand of Mr. Hoobler

The petition was read at length, and spread at large on the journal, as follows:

Standish, April, 1887, {
LINCOLN ASSEMBLY 4229 K. OF L. }

To the Hon. Senators and Representatives in the Legislature of the State of Michigan.

We, the undersigned citizens of Michigan and members of the Knights of Labor, petition your honorable body to secure the enactment into a law of

1. Breen bill forfeiting unearned land grants.
2. Breen bill to provide for mine inspectors.
3. Dillon bill for compulsory education of children.
4. Grenell bill making election days legal holidays.
5. Grenell bill to preserve the purity of election and to provide secret ballots.
6. Grenell bill making nine hours a legal working day for women and children.
7. Grenell bill to prohibit the employment of aliens by corporations.
8. Holbrook bill to protect workmen against wrongful requirements of employes.

9. Hosford bill to carry into effect the provisions of the constitution that no corporation shall hold land more than ten years.

10. Hosford bill preventing corporations from engaging in retail mercantile business.

11. Ogg bill, to abolish contract labor in State prison.

12. Ogg bill, to prohibit the use of scrip or store orders in payment of wages.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 321, entitled

A bill to amend section 1 of chapter 7, as amended by act 52, session laws of 1883, section 20 of chapter 9, section 4 of chapter 11, as added and amended by act 245, session laws of 1879, approved May 31, 1879, of act No. 62, of the session laws of 1875, entitled "An act granting and defining the powers and duties of incorporated villages," approved April 1, 1875, being sections 2847, 2942, and 2973, of Howell's annotated statutes, and to add one new section to said chapter 11, to stand as section 12,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill then was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on Michigan institute for deaf and dumb:

The committee on Michigan institute for deaf and dumb, to whom was referred

House bill No. 547, entitled

A bill to change the name of the Michigan institution for the deaf and dumb,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to amend section 1 of act No. 233 of the public acts of 1881, being an act entitled "An act to reorganize the Michigan institute for educating the deaf and dumb," the same being compiler's section 1836 of Howell's annotated statutes,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. T. JONES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Jones,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on private corporations:

The committee on private corporations, to whom was referred

House bill No. 719, entitled

A bill to provide for the incorporation of central and local associations of mint growers,

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

I. H. HUNT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 129, entitled

A bill to prevent the obstruction of sewers in the city of Detroit by water pipes, gas pipes or other pipes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations to whom was referred

House bill No. 649, entitled

A bill to provide for the holding of elections for the township of Benton, in the county of Berrien, within the corporate limits of the city of Benton Harbor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize the village of Benton Harbor to raise money in aid of the construction of water works and to furnish a water supply for said village,

Recommending that the substitute be concurred in and that the substitute be referred to the committee on local taxation, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. W. A. Baker,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then referred to the committee on local taxation.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 337, entitled

A bill to amend section 32 of an act entitled "An act to revise an act to incorporate the city of Bay City," approved March 21, 1865, as amended by act No. 316 of the local acts of 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend sections 5 and 70 of act number 346, session laws of 1881, entitled "An act to revise an act to incorporate the city of Bay City," ap-

proved March 30, 1881, as amended and revised by the several acts amendatory and revisionary thereof,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Green,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Bates,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Diekema,	Mr. Killian,	Mr. Robinson, R.,
Allen,	Dillon,	Kirby,	Rogers,
Ashton,	Douglass,	Linton,	Rounsville,
Baker, W. A.,	Dunbar,	Makelim,	Rumsey,
Bardwell,	Eldred,	Manly,	Simpson,
Bates,	Engleman,	McUormick,	Spencer,
Baumgardner,	Goodrich,	McMillan,	Stuart,
Beecher,	Green,	O'Keefe,	Thompson,
Bentley,	Grenell,	Oviatt,	VanOrthwick,
Breen,	Hoaglin,	Pardee,	Vickary,
Brock,	Hoobler,	Pettit,	Vroman,
Burr,	Houk,	Pierce,	Washburn,
Case,	Hunt,	Reader,	Watts,
Chapman,	Jones,	Rentz,	Wilson,
Cross,	Kelly,	Robinson, J. W	Speaker,
Damon,			

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Title agreed to.

On motion of Mr. Green,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on local taxation:

The committee on local taxation, to whom was referred

Senate bill No. 198 (file No. 133), entitled

A bill to authorize the board of supervisors of the county of Houghton, in this State, to borrow money upon the bonds of said county for the purpose of constructing a free bridge across Portage Lake, in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. T. CASE, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agriculture:

The committee on agriculture, to whom was referred

Senate bill No. 419 (file No. 188), entitled

A bill to amend section 5 of act No. 182 of the public acts of 1885, entitled "An act to provide for the appointment of a live stock sanitary commission and a State veterinarian, and to prescribe their powers and duties, and to prevent and suppress contagious and infectious diseases among the live stock of the State," and to repeal section 6 of said act, and add another section thereto to stand as section 23,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. W. WATTS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. W. Robinson,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Engleman,	Mr. Makelim,	Mr. Simpson,
Anderson,	Goodrich,	Manly,	Spencer,
Ashton,	Green,	McCormick,	Stuart,
Baker, W. A.,	Haskin,	McGregor,	VanOrtheast,
Baumgardner,	Hoaglin,	McKie,	Vickary,
Beecher,	Hoobler,	O'Keefe,	Vroman,
Bentley,	Hosford,	Oviatt,	Washburn,
Breen,	Houk,	Pettit,	Watson, F. H.,
Burr,	Hunt,	Pierce,	Watson, H.,
Case,	Jones,	Reader,	Watts,
Cole,	Killeen,	Rentz,	Webber,
Damon,	Kirby,	Robinson, J. W.,	Wilson,
Diekema,	Lakey,	Robinson, R.,	Wood,
Dunbar,	Lincoln,	Rogers,	Speaker,
Eldred,	Linton,	Rumsey,	

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Title agreed to.

On motion of Mr. J. W. Robinson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

ANNOUNCEMENT.

The Speaker announced the following:

To the places made vacant by the removal of Milo H. Dakin, I make the following assignments on the standing committees of the House:

Public Lands—Mr. Wilson.

Reform School—Mr. Baumgardner.

Lumber and Salt—Mr. S. Baker.

D. P. MARKEY, *Speaker of the House.*

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, May 3, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 94 (file No. 46), entitled

A bill to amend section 1 of act No. 1 of the public acts of 1873, entitled “An act to amend section 14 of an act entitled ‘An act to provide for the organization of the supreme court pursuant to section 2 of article 6 of the constitution,’” approved February 16, 1857, being compiler’s section 6393 of Howell’s annotated statutes,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 3, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

Senate bill No. 143 (file No. 114), entitled

A bill to amend section 4345 of the compiled laws of the year 1871, being section 5808 of Howell’s annotated statutes relative to wills of real and personal estate,

In compliance with the request for the same this day received.

Very respectfully

LEWIS M. MILLER,
Secretary of the Senate.

Mr. Green moved to suspend the rule limiting the time within which a motion to reconsider a vote may be made,

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Green moved to reconsider the vote by which the House passed the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Green,

The bill was re-referred to the committee on judiciary.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 3, 1887. }

To the Speaker of the House of Representatives:

Sir—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 177 (file No. 85), entitled

A bill to provide for the better protection of lives of passengers and employes on railroad trains,

Which the House, as shown by message of April 22, amended as follows:

1. By inserting at the end of line 2, section 2, the words, "not securely fastened."

2. By adding at the end of section 2 the following: *Provided further*, That the provisions of this act shall not apply to caboose cars run on any freight train."

In which amendments the Senate non-concurred as shown by message of April 29,

And in which amendments the House insisted, as shown by message of April 29,

And to inform the House that the Senate requests a committee of conference, to which committee when appointed shall be referred the matters of difference.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The question being on agreeing to the request for a committee of conference on the difference existing between the two Houses relative to the bill,

The request was granted.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 3, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 587 (file No. 200), entitled

A bill for the incorporation of companies for the purpose of buying and selling brood animals.

And to inform the House that the Senate has amended the same, viz:

By striking out of lines 4 and 5, of section 4, the words "whether for buying a stallion, bull or boar, or for buying brood mares, ewes or sows;"

2. By striking out of line 3 of section 10 the word "directors" and insert in lieu thereof the word "stockholders";

3. By striking out of line 4 of section 13 the words "ten days" and inserting in lieu thereof the words "thirty days";

4. By inserting in line 15 of section 21, after the word "statement," the words "under oath";

5. By striking out of line 16 of section 21 the words "under oath," where they first occur;

6. By striking out section 26.

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Goodrich moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Goodrich,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Killean,	Mr. Rogers,
Allen,	Damon,	Kirby,	Rounsville,
Anderson,	Diekema,	Lincoln,	Rumsey,
Ashton,	Dunbar,	Linton,	Spencer,
Baker, W. A.,	Eldred,	Manly,	Stuart,
Bardwell,	Engleman,	McCormick,	Thompson,
Bates,	Goodrich,	McGregor.	Van Orthwick,
Baumgardner,	Green,	McKie,	Vickary,
Beecher,	Grenell,	McMillan,	Vroman,
Bentley,	Haskin,	Mulvey,	Washburn,
Breen,	Hoaglin,	O'Keefe,	Watson, F. H.
Brock,	Holt,	Oviatt,	Watson, H.
Burr,	Hoobler,	Pardee,	Watts,
Case,	Hosford,	Pettit,	Webber,
Chapell,	Houk,	Pierce,	Wilson,
Chapman,	Hunt,	Rentz,	Speaker,
Cole,	Jones,	Robinson, R.,	67

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 659 (file No. 209), entitled

A bill to amend sections 1 and 2 of act 179 of the public acts of 1883, entitled "An act to regulate the width of wagon tires to be used with lumber wagons," approved June 8, 1883.

And to inform the House that the Senate has amended the same as follows:

By inserting the following enacting section, viz.:

"SECTION 1. *The People of the State of Michigan enact*, That sections 1 and 2 of act number 179 of the session laws of 1883, entitled "An act to regulate the width of wagon tires to be used with lumber wagons," approved June 8th, 1883, be and the same is amended so as to read as follows:"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Laid over one day under the rules.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 452 (file No. 185), entitled

A bill to amend section 6 of chapter 7 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing and preservation of bridges within this State," approved June 8, 1881, being section 1384 of Howell's annotated statutes,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, April 29, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 317, entitled

A bill to detach certain territory from school district Nos. 1 and 2 of the township of Echo, county of Antrim, and to organize the same into a school district to be known and designated as school district No. 5, in said township of Echo,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,
LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

THIRD READING OF BILLS.

Senate bill No. 55 (file No. 48), entitled

A bill making an appropriation for the asylum for insane criminals,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Makelim,	Mr. Rogers,
Allen,	Dunbar,	Manly,	Rounsville,
Ashton,	Eldred,	McCormick,	Simpson,
Baker, W. A.	Engleman,	McGregor,	Spencer,

Mr. Bates,	Mr. Goodrich,	Mr. McKie,	Mr. Stuart,
Baumgardner,	Green,	McMillan,	Thompson,
Beecher,	Haskin,	Mulvey,	VanOrthwick,
Breen,	Herrington,	O'Keefe,	Vickary,
Brock,	Hoaglin,	Pardee,	Vroman,
Burr,	Holt,	Pettit,	Washburn,
Case,	Hoobler,	Pierce,	Watson, F. H.,
Chapell,	Hosford,	Preston,	Watson, H.,
Chapman,	Hunt,	Reader,	Watts,
Cole,	Killean,	Rentz,	Webber,
Cross,	Kirby,	Robinson, J. W	Wilson,
Damon,	Linton,	Robinson, R.,	Wood,
Diekema,			

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Mr. Williams, T. H.,

Title agreed to

On motion of Mr. Chapman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 371 (file No. 268), entitled

A bill to regulate the trial of actions for damages arising from negligence,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Hunt,	Mr. Rentz,
Allen,	Damon,	Kelly,	Robinson, J. W.
Anderson,	Diekema,	Killean,	Robinson R.,
Ashton,	Dillon,	Kirby,	Rogers,
Baker, W. A.,	Dunbar,	Linton,	Rounsville,
Bardwell,	Eldred,	McCormick,	Simpson,
Bates,	Engleman,	McGregor,	Spencer,
Baumgardner,	Goodrich,	McKie,	Stuart,
Beecher,	Grenell,	McMillan,	Thompson,
Bentley,	Haskin,	Mulvey,	VanOrthwick,
Breen,	Herrington	Oviatt,	Vroman,
Brock,	Hoaglin,	Pardee,	Washburn,
Burr,	Holt,	Pettit,	Watson, F. H.,
Case,	Hoobler,	Pierce,	Watson, H.
Chapell,	Hosford,	Preston,	Wilson,
Chapman,	Houk,	Reader,	Speaker,
Cole,			

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NAYS.

Mr. Snow, Mr. Williams, T. H. Mr. Wood,

3

Title agreed to.

Mr. Baumgardner moved to take from the table,

House bill No. 403 (file No. 280), entitled

A bill to provide for the election of the commissioner of insurance and to further enlarge and define the powers and duties of the insurance bureau,
Which motion prevailed.

The bill having been read a third time, and the question being upon its passage,

Mr. Baumgardner moved to amend the bill by striking out in line 2 section 4 the word "seven" and inserting the word "eight,"

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on the passage of the bill, pending the vote thereon,

On motion of Mr. Baumgardner,

The bill was laid on the table.

On motion of Mr. Baumgardner,

The House took a recess until 2:00 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

Mr. Baumgardner moved to take from the table

House bill No. 403 (file No. 280), entitled

A bill to provide for the election of the commissioner of insurance and to further enlarge and define the powers and duties of the insurance bureau,

Which motion prevailed.

The question being on the passage of the bill,

The bill was then not passed, a majority of all the members elect not voting therefor by yeas and nays, as follows:

YEAS.

Mr. Baker. W. A.,	Mr. Dillon,	Mr. McKie,	Mr. Washburn,
Baumgardner,	Green,	Mulvey,	Watson, F. H.,
Breen,	Grenell,	Rogers,	Watts,
Brock,	Hoaglin,	Rumsey,	Wood,
Damon,	Manly,	Spencer,	17

NAYS.

Mr. Abbott,	Mr. Douglass,	Mr. Killean,	Mr. Pardee,
Allen,	Dunbar,	Kirby,	Pettit,
Anderson,	Eldred,	Linton,	Pierce,
Bates,	Goodrich,	Makelim,	Robinson, J. W.
Burr,	Herrington,	McCormick,	Robinson, R.
Case,	Hunt,	McGregor,	Rounsville,
Chapman,	Jones,	McMillan,	Simpson,
Cross,	Kelley,	O'Keefe,	Van Orthwick,
Diekema,			33

House bill No. 437 (file No. 343), entitled

A bill to amend section 6200 of chapter 234 of Howell's annotated statutes of the State of Michigan, relative to the foreclosure of chattel mortgages and pledges,

Was read a third time and pending the taking of the vote on the passage thereof,

On motion of Mr. Diekema,
The bill was laid upon the table.

House bill No. 692 (file No. 347), entitled

A bill to amend section number 3377 of Howell's annotated statutes of Michigan as amended by act number 234 of session laws of 1885, relative to the fences of railroad companies,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Herrington moved to amend the bill by striking out lines 59 and following sec. 3377 the words "And every such company or corporation owning or operating any such railroad shall, within six months from the time any section or portion of such road is finished and put in general use by running regular trains thereon, and in the case of any roads now in use, within six months from the time this act shall take effect, erect and maintain the fences and cattle-guards as herein provided."

Pending which,

Mr. Holt moved to amend the bill striking out in line 60, the word "six" and inserting the word "two" in lieu thereof,

Which was agreed to.

The motion to amend by striking out lines 60, 61, 62 and 63 was then withdrawn.

The motion to amend by inserting the word "two" in lieu of word "six" in line 60 then prevailed, two-thirds of all the members present voting therefor.

Mr. Oviatt moved to amend the bill by striking out the proviso beginning in line 67, and ending with line 71,

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Douglass,	Mr. Kirby,	Mr. Robinson, J. W
Allen,	Dunbar,	Lakey,	Robinson, R.,
Baker W. A.,	Eldred,	Makelim,	Rounsville,
Bardwell,	Engleman,	Manly,	Rumsey,
Baumgardner,	Goodrich,	McCormick,	Spencer,
Beecher,	Green,	McGregor,	Stuart,
Bentley,	Grenell,	McKie,	Thompson,
Breen,	Herrington,	McMillan,	Vroman,
Brock,	Hoaglin,	Mulvey,	Washburn,
Burr,	Holt,	O'Keefe,	Watson, F. H.,
Chapell,	Hoobler,	Pardee,	Watts,
Cole,	Hosford,	Pettit,	Webber,
Cross,	Hunt,	Pierce,	Wilson,
Damon,	Jones,	Rentz,	Speaker,
Diekema,	Killeen,		

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NAYS

Mr. Anderson,	Mr. Houk,	Mr. Rogers,	Mr. Vickary,
Ashton,	Kelley,	Simpson,	Williams, T. H
Bates,	Oviatt,	Van Orthwick,	Wood,
Chapman,	Reader,		

14

The question being on agreeing to the title,

Mr. Holt moved to amend the title so as to read as follows :

A bill to amend section 15 of art. 4 of act No. 198 session laws of 1873, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State, and the several acts amendatory thereof," being compiler's section 3377 of Howell's annotated statutes, as amended by act No. 234 public acts of 1885, approved June, 1885,

Which motion prevailed.

The title as amended was then agreed to.

House bill No. 366 (file No. 133), entitled

A bill to provide for laying out and establishing a State road to connect the Bay City, Au Sable and Alpena State road with the Tawas and Manistee State road, in the counties of Arenac, Iosco and Ogemaw,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Oviatt moved to amend the bill by striking out in line 3, sec. 4, the words "lower peninsula of the State," and inserting in lieu thereof the words "Counties of Arenac, Iosco, and Ogemaw,"

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Kirby,	Mr. Rentz,
Allen,	Damon,	Lakey,	Robinson, J. W.
Anderson,	Diekema,	Lincoln,	Robinson, R.
Ashton,	Dillon,	Makelim,	Rogers,
Baker, S.,	Douglass,	Manly,	Rumsey,
Baker, W. A.	Engleman,	McCormick,	Simpson,
Bardwell,	Goodrich,	McKie,	Snow,
Bates,	Green	McMillan,	Spencer,
Baumgardner,	Grenell,	Mulvey,	Thompson,
Beecher,	Herrington,	Ogg,	VanOrthwick,
Bentley,	Hill,	O'Keefe,	Washburn,
Breen,	Hoobler,	Pardee,	Watson, H.,
Brock,	Hosford,	Perkins,	Wellman,
Burr,	Hunt,	Pierce,	Wilson,
Chamberlain,	Jones,	Reader,	Speaker,
Cole,	Killean		

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NAYS.

Mr. Dunbar,	Mr. Houk,	Mr. Oviatt,	Mr. Watson, F. H.
Eldred,	Kelley,	Pettit,	Wood,
Hoaglin,	McGregor,		

10

The question being on agreeing to the title.

Mr. Hoobler moved to amend the title so as to read as follows:

A bill to provide for laying out and establishing a State road to connect the East Saginaw and Sauble River State road with the Tawas and Manistee State road, in the counties of Arenac, Iosco, and Ogemaw, and to provide for its construction by an appropriation of swamp lands, and the raising and expen-

diture of certain moneys therefor by the townships through which said road passes.

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Hoobler,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Holt moved to take from the table

House bill No. 437 (file No. 343), entitled

A bill to amend section 6200 of chapter 234 of Howell's annotated statutes of the State of Michigan, relative to the foreclosure of chattel mortgages and pledges.

Which motion prevailed.

The question being on the passage of the bill,

Mr. Holt moved to amend the bill by striking out Sec. 1 and inserting the following in lieu thereof:

SECTION 1. *The People of the State of Michigan enact*, That Sec. 1 of Act No. 57, public acts of 1877, entitled "An act authorizing the mortgagee or his legal representatives to purchase property on sale by foreclosure under chattel mortgage," approved April 20, 1877, being compiler's section 6200 of Howell's annotated statutes, be and the same is hereby amended so as to read as follows:

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Lakey,	Mr. Rogers,
Allen,	Dunbar,	Lincoln,	Rounsville,
Anderson,	Eldred,	Linton,	Rumsey,
Ashton,	Engleman,	Manly,	Simpson,
Baker, W. A.,	Goodrich,	McCormick,	Snow,
Bates,	Grenell,	McGregor,	Spencer,
Baumgardner,	Herrington,	McKie,	Stuart,
Beecher.	Hoaglin,	McMillan,	Thompson,
Bentley,	Holt,	Mulvey,	VanOrtheast,
Breen,	Hoobler,	Oviatt,	Vroman,
Brock,	Hosford,	Pardee,	Washburn,
Burr,	Houk,	Pettit,	Watson, F. H.
Chapman,	Hunt,	Reader,	Watson, H.,
Cole,	Jones,	Rentz,	Watts,
Cross,	Kelly,	Robinson, J. W.,	Wilson,
Damon,	Killean,	Robinson, R.,	Speaker,
Diekema,			

65

NAYS.

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The question being on agreeing to the title,

Mr. Holt moved to amend the title so as to read as follows:

A bill to amend section 1 of act No. 57 of the public acts of 1877, entitled "An act authorizing the mortgagee or his legal representatives, to purchase property on sale by foreclosure under chattel mortgage," approved April 20, 1877, being section 6200 of Howell's annotated statutes,

Which motion prevailed.

The title as amended was then agreed to.

By the committee on ways and means :

The committee on ways and means, to whom was referred

House bill No. 194, entitled

A bill to make an appropriation for the erection of an addition to the normal school building, and for providing the necessary heating apparatus, furniture and fixtures therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The Speaker announced as the committee of conference on the part of the House on the differences existing between the two Houses relative to

Senate bill No. 177 (file No. 85), entitled

A bill to provide for the better protection of lives of passengers and employes on railroad trains,

Messrs. Holt, Perkins, and Killean.

GENERAL ORDER.

On motion of Mr. Oviatt,

The House went into committee of the whole, on the general order,

Whereupon the Speaker called Mr. Allen to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report :

The committee of the whole have had under consideration the following bills :

1. House bill No. 580, (file No. 349), entitled

A bill to amend section 23, of act No. 250, of the session laws of 1873, being an act to revise the charter of the city of Coldwater, as amended by act No. 358, of the local acts of the session laws of 1879, by adding a proviso for alternative sentences by justices of the peace,

2. House bill No. 628, (file No. 350), entitled

A bill to amend sections 1, 2, 4, 5 and 22 of act No. 321, entitled "An act to authorize a board of public works in and for the city of Grand Rapids," approved March 22, 1873, as amended by the several acts amendatory thereof, and to add to said act a new section to be known and numbered as section 24 of said act,

3. House bill No. 691 (file No. 333), entitled

A bill making an appropriation of State swamp land to aid the townships of Eggleston and Moorland in the county of Muskegon, for the purpose of cleaning, dredging, and clearing out the south branch of Black Creek, in the township of Eggleston, and also the township and county drains in the township of Moreland, in said county,

4. House bill No. 377 (file No. 341), entitled

A bill to authorize the board of control of State swamp lands to make an appropriation of swamp lands to drain and reclaim marsh and overflowed lands in the townships of Albee and Spaulding, Saginaw county,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following bill:

5. House bill No. 347 and 582 (file No. 339), entitled

A bill to provide for the appointment of an inspector of machinery in manufacturing establishments, also the safety of persons and employes engaged in operating and running machinery in the State of Michigan, and to compel the owners and operators of the same to provide safeguards to insure the protection of persons employed in and about the running and operating of machinery in this State.

And have directed their chairman to report the same back to the House with the recommendation that it be referred to the committee on judiciary.

The committee of the whole have also had under consideration the following bills:

6. House bill No. 264 (file No. 284), entitled

A bill to amend sections 2 and 5 of act number 127, public acts of 1879, approved May 31, 1879, the same being sections 2 and 5 of an act entitled "An act to provide for the inspection of illuminating oil manufactured from petroleum or coal oils, and to repeal act number 181, of session laws of 1875, approved May 1, 1875, and act 196 of session laws of 1877, approved May 22, 1877," being sections number 1538 and 1541, of the compiled laws of 1882,

7. House bill No. 560 (file No. 334), entitled

A bill to provide for the straightening, open, deepening and widening Little Sturgeon creek, in Midland county, and making an appropriation of State swamp lands for same,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

HIRAM M. ALLEN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the amendments made by the committee to the first, second, third and fourth named bills, and they were placed on the order of third reading.

On motion of Mr. Jones,

The House concurred in the recommendation of the committee relative to the fifth named bill, and it was referred to the committee on judiciary.

On motion of Mr. Abbott,

The House concurred in the action of the committee in striking out all after the enacting clause of the sixth named bill, and

The title and enacting clause were laid on the table.

The question being on concurring in the action of the committee in striking out all after the enacting clause of the seventh named bill,

Mr. Oviatt demanded the yeas and nays.

The demand was seconded, and the action of the committee was not concurred in by yeas and nays, as follows:

YEAS.

Mr. Abbott, Case, Hoaglin,	Mr. Hosford, Jones, Kelley,	Mr. Lakey, Oviatt, Pettit,	Mr. Pierce, Watson, H., 11
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NAYS.

Mr. Allen, Anderson, Baker, S., Baker, W. A., Baumgardner, Bentley, Breen, Brock, Burr, Chamberlain, Cole, Damon, Dillon,	Mr. Dunbar, Eldred, Goodrich, Grenell, Holt, Hoobler, Houk, Killean, Kirby, Lincoln, Linton, Makelim	Mr. McCormick, McKie, Mulvey, Ogg, O'Keefe, Pardee, Reader, Robinson, J. W. Robinson, R., Rogers, Rumsey, Simpson,	Mr. Snow, Spencer, Stuart, Thompson, Watson, F. H. Webber, Wellman, Williams, T. H. Wilson, Wood, Speaker, <i>pro tem.</i> 47
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On motion of Mr. Wilson,

The bill was placed on the order of third reading.

Mr. Washburn offered the following:

WHEREAS, The Legislative Manual records that our distinguished colleague, John S. Cross, began his career of usefulness May 4, 1849;

AND WHEREAS, To-day is the 38th anniversary of his advent among men;
Resolved, That the Honorable gentleman be requested to respond to this expression of the well wishes of his colleagues in the House,

Which was adopted.

The Speaker *pro tem.* appointed Messrs. Washburn and Ogg a committee to escort Mr. Cross to the stand.

Mr. Cross then addressed the House briefly in response to the resolution.

Mr. Anderson moved to take from the table

House bill No. 626, entitled

A bill to provide for laying out and establishing a State road in the county of Newaygo, commencing at the southwest corner of section 10, in town 14, north of range 14 east, and running thence east to the village of Diamond Lake, in section 13, town 14 north, of range 13 east, to be known as the Denver and Diamond Lake State road, and making an appropriation of State swamp land therefor,

Which motion prevailed.

On motion of Mr. Anderson,

The bill was referred to the committee on roads and bridges.

Mr. W. A. Baker, moved to take from the table

House bill No. 707, entitled

A bill to authorize the organization of the Benton Harbor Hydraulic Power and Canal Navigation Company,

Which motion prevailed.

On motion of Mr. W. A. Baker,

The bill was referred to the committee on private corporations.

On motion of Mr. Herrington,

Leave of absence was granted to himself indefinitely on account of sickness.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 233 (file No. 82), entitled

A bill to protect fish and preserve the fisheries of this State by regulating the fouling of the waters and destruction of fishing grounds by the refuse of manufactures or other debris, and to repeal all acts and parts of acts inconsistent with or contravening the provisions of this enactment,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wellman,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered re-printed, referred to the committee of the whole and placed on the general order.

On motion of Mr. Killean,

The House adjourned.

Lansing, Thursday, May 5, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Jameson.

Roll called: quorum present.

Absent without leave: Mr. Harper.

On motion of Mr. Houk,

Leave of absence was granted to all absentees for the day.

PRESENTATION OF PETITIONS.

No. 1164. By [Mr. Lakey: Petition of A. C. Wortley, J. Spyer and 35 others asking that druggists be not taken as saloons when they are duly doing a legitimate drug business.

Referred to the committee on liquor traffic.

No. 1165. By Mr. Washburn: Petition of Andrew Howell and other citizens of Lenawee county asking for the passage of House bill No. 530, relative to insurance bureau.

Referred to the committee on ways and means.

No. 1166. By Mr. Linton: Petition of E. St. John and 25 others of the city of Saginaw praying that the section in the bill now pending before the Legislature requiring druggists to pay a tax on the business of selling intoxicating liquors be stricken out.

Referred to the committee on liquor traffic.

No. 1167. By Mr. Rumsey: Petition of H. M. Williams and others request-

ing you to work and vote against any legislation looking towards the taxing of druggists for the sale of liquors, when sold exclusively for medicinal and mechanical purposes.

Referred to the committee on liquor traffic.

No. 1168. By Mr. Simpson: Petition of W. E. Clark and 47 others asking for county local option, increased taxation and increased bonds in reference to the liquor traffic.

Referred to the committee on liquor traffic.

No. 1169. By Mr. Dunbar: Petition of the druggists and business men of Monroe city praying that the section in the bill now pending before the Legislature requiring druggists to pay a tax on the business of selling intoxicating liquors be stricken out.

Referred to the committee on liquor traffic.

No. 1170. By Mr. Wellman: Petition of Frank Sterling and 35 others members of local assembly 3397 K. of L. of Marysville, St. Clair county, asking for the passage of the Breen bill forfeiting unearned land grants.

Referred to the committee on public lands.

No. 1171. By Mr. Wellman: Petition of Alfred Kean, T. J. Davis, F. Gee, and 42 other Knights of Labor of Fort Gratiot, St. Clair county, asking for the passage of the various labor bills.

Referred to the committee on labor interests.

No. 1772. By Mr. Chapman: Memorial of the officers of the Loyal Life Association of Reading, Mich., relative to the report of the special insurance committee in regard thereto.

On demand of Mr. Chapman,

The memorial was read at length, and spread at large on the journal, as follows:

To the Honorable the Legislature of the State of Michigan:

GENTLEMEN—The managers of the Loyal Life Association of Reading, Mich., beg leave to submit the following in explanation and reply to the report of the legislative committee appointed for the purpose of investigating the life insurance companies of this State, which report is found in the Legislative Journal under date of April 23, 1887.

In submitting this reply, we do not intend any disrespect to the committee; and we make the following statement in order that the public may not be prejudiced against the association, and thereby work an injury to its membership:

The preliminary statement of facts in the committee's report as to the management of the association is not questioned and is substantially correct.

The contract referred to in the report was ratified by a full board of trustees, though its terms were substantially agreed upon (in connection with the future management of the Association), prior to its organization, and all that has ever been done by virtue of said contract (changes or substitutions), was laid before the committee. There would not seem to be anything strange or alarming if men who contemplated organizing such an association, should have some understanding about its management before entering upon the work.

It is true no "firm books" are kept. The books of the association show everything pertaining to its management, even to a division of profits, and are open for inspection at all times, and to all members.

As reported by your committee, it is true that collectors have retained three

per cent for collecting assessments; but this commission was allowed because it was generally supposed by the trustees of the association that the by-laws permitted such commission. In order to remedy this seeming defect in the operations of the association, a resolution has recently been adopted by the board of trustees, positively prohibiting the granting of such commission, and in the future the entire eighty per cent of all assessments will go into the mortuary fund.

Reference is made in the report to the mode of procedure when members are "dropped," and in that connection a statement is made that does great injustice to the management of the association, which statement is not warranted by facts. The report says "Under this seemingly innocent provision of the by-laws, which was not contained in them originally, but is a subsequent invention, a source of great profit has risen to the firm managing this business."

We must suppose that the committee had been in some way misled and deceived into making this statement, as it is a clear imputation of fraud on the part of the management, and unauthorized by an examination of the original by-laws as they stand recorded, signed by the five original incorporators, which by-laws have never been subtracted from or added to, or in any way changed, as may be seen by any member of this honorable body by an inspection of the records now in the hands of the Hon. A. R. Chapman. It is unpleasant to be obliged to make this explanation, as it so squarely contradicts the report; but a management intrusted with the care of the interests of seven thousand members would seem to be very negligent of its duty if it failed to make this explanation.

The members of your committee are too honorable men to want to unfairly prejudice the association, and we have no doubt they will be glad of any explanation which will show that portion of their report not to have been well founded.

It is not, and never has been the practice of the association to close assessments promptly upon the day they fall due. Assessments fall due upon the 26th of the month unless that day falls on Sunday, in which event the assessments fall due on Monday, the 27th. Assessments have never been closed until the meeting of the board of trustees, which, until recently, has been the first Tuesday of the following month, the time ranging from six to ten days after the time fixed in the notices for payment. All money received on an assessment prior to such meeting goes into the mortuary fund.

At a meeting held by the trustees March 1, 1887, the time for the monthly meeting of the board of trustees was fixed for the second Tuesday of the month, because more time was required to look into losses and report, for at such trustee meetings assessments are levied to pay losses. This in effect gives from ten to sixteen days for the receiving of assessments after the time for payment fixed in the notices. All money received on assessments between the 26th of the month and the time of the trustee meeting, has always been credited to such assessment precisely the same as if received before the 26th. By the exact terms of the by-laws money coming in after the trustee meeting, has gone into the fund for the management of the association, just exactly where the original by-laws say it may go. It is a little difficult to see where else it should go, unless by a change of the by-laws, it should be passed to the benefit of the next assessment; for the assessment to which it would have belonged, if paid in time, has not only been closed, but the beneficiaries have

received their money, receipted therefor, surrendered their certificates, and ceased to have any claims on the association.

The committee's report says that notices of "dropped" are sent to the beneficiaries named in the policies, etc. In the application it is always stated to whom notices of assessment shall be sent, and the notice of "dropped" is always sent to that person. Sometimes it is the beneficiary, but more frequently the applicant. It is always sent to the one on whom assessment notices are served precisely as conditioned for in the application.

The secretary informs the trustees that the \$136.30 mentioned in the report as having been received on restorations during the first ten days of January, 1887, was not one dollar of it received on the assessment which was closed December 31, 1886, but on prior assessments. The money received on restorations by the managers has been warranted by the by-laws as originally adopted, and never changed. It may be that the by-laws in that respect should be changed and that the money should go into the mortuary fund so as to go to the assured; but just how and in what proportion to each assessment is not so easily determined, as the sums received for that purpose vary so materially from time to time. The sums received during the fore part of the year being very much larger than during the middle or latter part of the year.

The committee go on to show that the amount received for restorations during January and February was \$390.15. In explanation of this we will say that a great many persons who went into the company when first organized had dropped out, but when they saw the company was growing rapidly, and paying their losses promptly, they wished to be restored. The restoration fund so received is not as large as the annual dues which nearly all companies charge, and which that company does not.

The committee say "Death claims are audited and ordered paid by the board of trustees at their meetings held for that purpose. They only audit such claims as are presented to them by the secretary of the company, and they take no pains to ascertain, by an examination of the files in the office, whether all the claims that should be submitted to them are in fact laid before them at the proper time. In passing upon these claims, no attention is paid to the application therein to see whether any fraud has been practiced upon the association, and the question as to whether there is an insurable interest existing between the beneficiary and the insured is not considered at all." How the committee could have arrived at this conclusion we do not understand, as they did not examine any of the trustees, although some of them were present and willing to give them all the information they could.

At the meetings of the board of trustees, we proceed as follows: We first have the applications read, then the proofs of death read and compared, and this is done in every case. To convince all fair-minded persons that we do our duty in this respect, we will say that we employ an experienced insurance man to look up and investigate every proof of death where there is any doubt at all concerning the legality of the claim. The secretary informs us that over \$600 has been expended during the last two months in investigating such claims. In some cases claims have been held under advisement, and some of the trustees have personally gone and looked up the proofs very carefully.

In regard to not knowing whether the secretary presents all the claims or not, we will say that it would not benefit him any to withhold a part, and that the trustees always examine the files and count them before they are presented to the board by the secretary.

A case referred to in the committee's report is as follows: "A woman eighty-three years old, living in Mass., whose life was insured for the benefit of a man living in western Michigan in the sum of \$2,000. No relationship stated in application. The name of the applicant to the application was signed in the handwriting of the beneficiary, and the medical certificate was made and signed by the beneficiary in his own name. She lived three months after the date of the insurance, and the beneficiaries received \$400 from the association."

The application as it appears on file in this case was taken out by the applicant, making her nephew beneficiary. The application is signed by applicant. The application also states that the relationship existing between applicant and beneficiary is that of nephew.

The committee also cite the following: "In another case one of the directors of this association obtained an insurance upon the life of an uncle aged eighty-two years living in Manitowoc, Wis. The application was taken without the knowledge of the insured, and upon the death of the subject within a short time, a son of the beneficiary went to Wisconsin and obtained the proofs of death in a clandestine manner, and the company paid upon the loss \$179.80."

In this case the beneficiary was not a director of the association at the time the insurance was taken out. The insurance was written on the 10th day of April, 1886, and the beneficiary's term of office as a director of the company expired on the 12th day of January, 1886. It appears by the application that the applicant made such application, signed the same, and made his nephew A. J. Page his beneficiary. We do not know how the proofs of death were obtained, but they were made in proper form and show the applicant to have been in good health at the time application was made. The duration of sickness was about six weeks. This statement is certified to by A. C. Frazer of Manitowoc, Wisconsin, the applicant's attending physician, as will be seen by a reference to the files in the case.

The committee also make the following statement: "Another case was that of a physician making application for insurance upon a man eighty-four years of age. The insurance was taken September 28 and the man died October 2, 1886, four days after he was insured. The relationship stated is that of a creditor. The application was first signed by the beneficiary with his own name and then erased, and the name of the insured signed in apparently the same handwriting. The doctor was the beneficiary, the doctor made the medical examination in the application, the doctor swore to the statement of his death, the doctor paid assessments upon each policy of seven dollars and fifty cents, and the doctor drew from the company \$600.00 upon the death of his patient."

In this case the beneficiary was John Kapp, ex-mayor of Ann Arbor, and creditor of George Frey, the applicant. The application shows that the applicant made and signed the same. The risk, taking the age into consideration, seemed to be first-class. The proofs of death in this case are made in proper form and are certified to by C. G. Darling, attending physician.

The committee further state: "Another case is that of a woman residing in Battle Creek, being insured by her husband for his benefit. Her age is given as 46; the insurance was taken out September 27, 1886. She died October 8, 1886, eleven days after being insured. The beneficiary signed the application in his own name. She died of consumption, and the physician

in the death proof says: 'She was able to get around the house up to within two months of the time she died.'"

The application in this case shows that the applicant was in good health when the application was taken, and the application was certified to by a physician. The proofs of death show that the applicant was sick of quick consumption when insured, and that it was a fraud. The trustees investigated this claim and it was rejected. The beneficiary in this case never received one cent from our association.

All the applications and proofs herein referred to are, with the records of the association, in the hands of Hon. A. R. Chapman, a member of the House of Representatives, and reference is hereby made to those documents for a further substantiation of the statements set forth above.

Reference is made in the report to the action of the association in removing its president. We have only to say that serious charges in writing were preferred against him, by a member of the association, and those charges are now on file and may be seen with the other papers of the association. A special meeting of the trustees was called, the president was notified and requested to be present to answer the charges preferred against him. He failed to be present, the charges were investigated, and as the trustees believe, fully sustained, and he was, by unanimous vote, removed. The trustees elected this officer and believed they had the power to remove him. The committee were shown the charges preferred against the president, though they make no mention of it in their report, and thus leave the impression that the trustees removed him without cause.

We respectfully submit the foregoing, asking your consideration and soliciting that such action may be taken as will tend to remedy the errors which exist in your committee's report, by spreading this communication upon your Daily Journal.

J. C. JOINER,
L. H. MCCLANE,
F. G. WARREN,
Trustees.

Dated Reading, Mich., May 2, 1887.

Referred to the committee on insurance.

Mr. Cross moved that that part of the report of the committee relating to the Loyal Life Association of Reading, Mich., be printed in connection with the memorial,

Which motion prevailed.

The following is the portion of the report referred to:

THE LOYAL LIFE ASSOCIATION OF READING.

On March 25th your committee arrived in Reading and proceeded to examine into the management and business of this association.

They found the secretary of the company absent from town and the office in charge of a person acting under a power of attorney from the secretary, in the capacity of assistant secretary.

The articles of incorporation under which this company are doing business were filed August 26, 1885. We give their plan of operations as stated in their circulars published for general distribution.

The object of the Loyal Life Association is to furnish life insurance at its lowest possible cost to males and females in good health, from the ages of

twenty-one to eighty-five, on a plan that is equitable, just and permanent to all its members, young or old, all being in one class and each paying according to age, as shown by the American Mortality Table; thus each member joining has the same interest and helps to strengthen the association. Each \$1,000 provides that in case death shall occur within one year from its date, the amount paid thereon shall not exceed \$200; if after one year and within two years, \$400; if after two years and within three years, \$600; if after three years and within four years, \$800. If death occurs after four years from the date of the certificate the amount paid thereon shall not exceed one thousand dollars, under the following guarantee clause:

That the association shall at no time, or under any circumstances, make to exceed one assessment in every two months, and the losses of each alternate two months of the year, beginning with the first two months and so on, through the year, shall be paid by one assessment collected during the same two months. But, should the losses of any two months amount to more than eighty per cent of the amount received by the association on such assessment, then, and in every such case, eighty per cent of the amount so received by the association shall be divided *pro rata* among the beneficiaries of said two months' losses, and the amount so divided shall be received and accepted by such beneficiaries as full payment of the certificate or certificates upon which losses have occurred as aforesaid, and when there is money enough in the mortuary fund to pay all the losses in full of any two months, then no assessment will be made for such two months. All losses shall be considered as having occurred at the time when the proofs of death are received by the association.

There will be but one division or class, and thus each one joining strengthens the entire association.

The beneficiary must be a relative or possess some other insurable interest.

Assessments are determined by the age at time of insuring, and remain the same during the continuance of the certificate.

Any person, male or female, between 21 and 85 years of age, of sound mind and body, and in good health, may become a member of this association by making application according to the prescribed form furnished by the association, answering satisfactorily all questions as to health, habits and family history contained therein, furnishing a physician's certificate of good health, agreeing to pay all assessments necessarily made against them, and paying the required membership fee.

A membership fee of ten dollars for the first thousand, and five dollars for each additional thousand will be charged all members over sixty years old, or under, to be paid but once. But in no case will the association take to exceed \$4,000 or less than \$1,000 on any one life.

It is not absolutely necessary that the party insured go before a physician, but the application must be taken to a reputable physician, and one acquainted with the condition of the party insured.

All assessments must be sent to the secretary within twenty days from date of notice, and any certificate upon which any assessment remains unpaid beyond that time shall be declared forfeited. But any person whose certificate has been forfeited may be reinstated at any time within one year by furnishing proof of good health and paying a restoration fee to the amount of arrearages at time of restoration.

This company began business September 14, 1885. Up to January 1, 1887,

it had written 5,300 policies, and during the month of January, 1887, it wrote 963 new policies, and during the month of February, 1887, 1,332.

To ascertain the practical workings of this association your committee examined the files and records of the office at great length, and took the testimony of the officers present, and other available testimony.

In practice, this company does not require a medical examination of applicants for insurance, although upon the blank applications which they furnish is a printed form headed "physician's certificate," in about the same language as used by other companies of this kind. They only require a statement showing the party to be in good health and answering all questions in the so-called physician's certificate "satisfactorily to the medical director." This statement is allowed to be made by the beneficiary and in some cases to be made by the applicant himself. The company has no regular rule in that respect. The general superintendent of agencies of this company was examined as to the manner in which the association secured its members, and on being asked if they interviewed the people whom they wished to become applicants for insurance, he answered that they did not always do so; that if he asked a man to take insurance and he said he had some old person that he would like to insure he would tell them that was all right and the party would make the application, and the party spoken to would either have the person to be insured sign the application or sign it themselves, per their own name. He further stated that he always gave them to understand that they must never sign it for the applicant without the knowledge of the party to be insured.

As bearing upon the truth of this testimony your committee examined a witness who stated that he was an uncle of the superintendent of agencies; that he was asked by his nephew to take out an insurance upon his life in this association and that he refused, that he did not consider the company responsible or any man connected with it responsible for a dollar. Afterward the agent induced the uncle's wife to take out an insurance on the old man's life. On being shown the original application he stated that he thought his name was signed to the application in the handwriting of his nephew, but that the medical examination was signed by his wife. The assessment notices in this case were directed to be handed to a third party residing in Reading.

An examination of the applications on file in this office shows that very few of the applications bear the appearance of having been signed by the applicant in person, but the name of the applicant appears to be sometimes in the handwriting of the agent procuring the application, and sometimes in a handwriting bearing a marked resemblance to that of the purported beneficiary.

The officers state that their manner of making up the mortuary fund of their association is first, to take from the gross assessments paid a three per cent collection fee, and then to take twenty per cent for the expense fund, and the balance left is the mortuary fund. Upon an examination of the articles of association filed with the Secretary of State your committee find nothing in them warranting the deduction of a collection fee as a separate item of expense to be charged to the members of the association.

Some of the officers stated that there was a resolution passed by the board of trustees authorizing them to take out three per cent of the gross amount of assessments for collections, but there is nothing in the record book of proceedings of the board of trustees showing that any such resolution was passed, and one of the ex-trustees of this association, whom your committee

examined, testified that he never had heard of any such resolution being passed. Another claim of authority for the taking out of three per cent was that in some place in the by-laws it was stated that eighty per cent of the assessments "received at the home office" shall constitute the mortuary fund. An examination of the books of account in the office upon this subject showed that this three per cent was not taken out of the first four assessments made by this company, but that a full eighty per cent of the assessments actually paid by the members was carried to the credit of the mortuary fund, but upon the closing of the fifth assessment this practice was begun and has been followed in every assessment made since.

As an example, one of the latter assessments shows that there was deducted from the gross amount of the assessment paid the sum of \$349.18 as the three per cent collection fee. This appears in the cash account. As the management pay their collectors three per cent of the amount collected by them for the collection of the same, it is necessary that there should be a counter charge to keep their cash account straight, and in this particular case there is only charged up as being paid to collectors \$252.13, showing that the officers had charged their members three per cent collection fee upon the amount which the members paid directly into the office of the association, in this one case amounting to \$96.05, eighty per cent of which should, in strict justice, have gone to the mortuary fund. Thus it is that the managers of the company instead of deducting only twenty per cent for the expense fund first deduct three per cent and then twenty per cent for the expense fund.

The board of trustees of this association by resolution August 22, 1885, appointed three of its members general agents to take charge of and manage the business of the association for thirty years according to the term of a contract at that date entered into. This contract is said to have been made prior to a license being granted this company. Whether that contract was to go out of existence without anything being done under it does not clearly appear, but on July 6, 1886, the board of trustees passed a resolution ratifying a contract said to have been made at some time prior to that date between the three general agents before appointed, and allowing another party to be taken into that compact. It was stated by the officers that this resolution was intended to renew a contract that had been made before that time without any authority, and in response to a request for a production of that contract, purporting to have been made December 12, 1885, between four gentlemen, in which they agree to form a partnership for the purpose of conducting, controlling and managing the general agency affairs of this company for thirty years, each agreeing to contribute to the funds in the first instance \$56.29, and such sum thereafter as might be found necessary to carry on the business, each of the parties agreeing to devote his time, influence and attention to the business, and all profit be divided equally, and all expenses and losses to be borne equally by each party. A supplemental contract was attached to that, providing that in view of the fact that only two of them had devoted their time to the business, that those two should receive a salary of one thousand each per annum. Also a further supplemental contract by which one of the contracting parties withdrew from the partnership and the present assisting secretary was substituted in his place.

It was testified that the price agreed to be paid by the assistant secretary for a quarter interest in this contract was two thousand dollars. The two persons referred to now receive the salary stated in the contract, one being the

secretary of this association and the other the superintendent of agencies, and the assistant secretary receives for his services sixty-five dollars per month. After the paying of these salaries and all other expenses of conducting the association the remainder of the expense fund is divided equally between the four partners. No firm books appear to be kept, but the business of the firm and of the association appear in some degree to be merged upon the books of the association. At least the division of profits is entered upon the association books. In this connection the ex-treasurer of the association stated in his testimony that he always supposed that the managers owned the institution, and it ran and had the profits. He also testified that he supposed that the secretary paid over to him 80 per cent of the assessments and that he never knew anything at all about the expense fund, that fund not being paid into his hands by the treasurer of the association.

"Any member failing to pay his or her assessments on or before the day when due, shall be dropped, and from and after that date his or her certificate shall be void. But such dropped member shall be restored by furnishing satisfactory proof of good health and paying a restoration fee to be applied to the expense fund, equal to the amount of arrearages at the time of restoration." Under this seemingly innocent provision of the by-laws, which was not contained in them originally, but is a subsequent invention, a source of great profit has arisen to the firm managing this business. The practice of the managers is to close an assessment promptly upon the day on which it was due, and any money coming into the office upon that assessment after that time is re-christened a "restoration," and it is put into the expense fund, which belongs entirely to this firm of general agents. It takes three or four days after an assessment is closed up to foot it up and make a computation of the amount, but in the meantime no money which may happen to have been delayed in the mail or otherwise, which comes into the office during that time is credited to the assessment, but is put directly into the expense fund as a restoration.

Immediately on the closing of the assessment a notice is sent, not to the insured member, but to the beneficiary in each policy which has been dropped by reason of that assessment not having been paid, inclosing a blank application for restoration, which the party is expected to fill out and sign himself as beneficiary, stating the good health of the insured person and inclosing the amount of the arrearages, which amount is treated as a restoration, and as belonging to the firm, as before stated. Now, to illustrate the beneficial results to this partnership from this method of treating money which should in justice to the members go into the mortuary fund, an assessment was closed December 31, 1886. The amount of money coming in to the office during the first ten days of January, during which time it could not be reasonably expected that the parties would have received the notices of lapse, made their application for restoration and remitted the money for that purpose, was \$136.30. The total amount of money paid which the firm called restorations, in January and February, was \$390.15. Another assessment closed the last of February, 1887. The books show that during the first five days of March following, there came into the office \$58.60 which was treated as restorations, and that the total amount of such restorations coming into the office during the month of March to this date, the 24th, is \$337.13, making a clear profit to this copartnership so far during this year from that source of \$727.28.

Death claims are audited and ordered paid by the board of trustees at their meetings held for that purpose. They only audit such claims as are presented to them by the secretary of the company, and they take no pains to ascertain, by an examination of the files in the office, whether all the claims which should be submitted to them are in fact laid before them at the proper time. In passing upon these claims no attention is paid to the application therein to see whether any fraud has been practiced upon the association, and the question as to whether there is an insurable interest existing between the beneficiary and the insured is not considered at all.

Among the death losses paid by this company is one where this insurance was obtained upon a man aged 84 years. The application stated that the "beneficiaries are not relatives of the insured. The insurance was taken October, 1886, and the party died February 12, 1887." There were two policies on his life for \$1,000, and the beneficiaries received \$179.80 on each policy.

In another case an insurance was taken upon a lady 83 years of age, upon October 8 and 12, four policies being issued of one thousand dollars each, the beneficiary said to be a grand-daughter of the insured. The signature to one of the applications instead of being signed by the applicant was signed by the beneficiary in her own name, and in the other applications the name signed was that of the old lady, but apparently in the hand-writing of the beneficiary. She died November 10, 1886, less than a month after the last policy was issued, and the grand-daughter received from the company two hundred dollars on each policy on the death of her grand-mother.

Another case is that of a woman aged 83 years old, living in Massachusetts, whose life was insured for the benefit of a man living in Western Michigan, in the sum of \$2,000. No relationship stated in application. The name of the applicant to the application was signed in the hand-writing of the beneficiary, and the medical certificate was made and signed by the beneficiary in his own name. She lived three months after the date of the insurance, and the beneficiary received four hundred dollars from the association.

In another case a man 85 years old was insured by his grandson for \$4,000. The application is signed by the beneficiary, and not by the assured, and it states that the applicant had had dropsy; that he had been attended by a physician about two weeks prior to the making of the application for a bad cough. The insured died in three weeks from the date of the application. The attending physician states in the death proofs that the deceased had been sick three or four weeks and died of dropsy of the chest. The company paid \$800 on this loss.

In another case one of the directors of this association obtained an insurance upon the life of an uncle aged 82 years living at Manitowoc, Wis. The application was taken without the knowledge of the insured, and upon the death of the subject within a short time, a son of the beneficiary went to Wisconsin and obtained the proofs of death in a clandestine manner, and the company paid upon the loss \$179.80.

Another case was that of a physician, making application for insurance upon a man 84 years of age. The insurance was taken September 28, and the man died October 2, 1886, four days after he was insured. The relationship stated is that of a creditor. The application was first signed by the beneficiary with his own name, and then erased, and the name of the insured signed in apparently the same hand-writing. The doctor was the beneficiary; the doctor made the medical examination in the application.

The doctor swore to the statement of his death ; the doctor paid assessments upon each policy of seven dollars and fifty cents. The doctor drew from the company \$600 upon the death of his patient.

Another case is that of a woman residing in Battle Creek, being insured by her husband for his benefit. Her age is given as 46; the insurance was taken out September 27, 1886. She died October 8, 1886, eleven days after being insured. The beneficiary signed the application in his own name. She died of consumption, and the physician in the death proofs says, "she was able to get around the house up to within two months of the time she died."

The vice-president of this association testified that he was now acting as president; that charges had been preferred by the assistant secretary against the president a few days ago; that a meeting of the directors was called, and that at an *ex-parte* hearing they had found the charges sustained, and that they had by vote removed the president; that they did not know of or look for any authority to remove him in the articles of by-laws, but that they just removed him.

No. 1173. By Mr. Manly: Petition of E. H. Scott, and 33 others, business men of Ann Arbor, remonstrating against the taxing of druggists for the sale of liquor.

Referred to the committee on liquor traffic.

No. 1174. By Mr. Oviatt: Petition of R. H. Huntley and 150 other citizens of Cadillac, against placing druggists on the same basis as saloons.

Referred to the committee on liquor traffic.

No. 1175. By Mr. Ashton: Petition of Frank Hamilton and 35 others, business men of Traverse City, against any law intermeddling with the liquor law relative to druggists.

Referred to the committee on liquor traffic.

No. 1176. By Mr. Bentley: Petition of C. E. Sabin and others, business men of Centreville, praying that the section in the bill now pending before the Legislature, requiring druggists to pay a tax on the business of selling intoxicating liquors, be stricken out.

Referred to the committee on liquor traffic.

No. 1177. By Mr. Bettinger: Memorial of Geo. W. Walthew relative to the bill for free school books for the city of Detroit.

On demand of Mr. Bettinger,

The memorial was read at length, and spread at large on the journal, as follows:

To the Honorable the Legislature of the State of Michigan:

Mr. Joseph A. Marsh, of Detroit, in a petition to your honorable body against the passage of House bill No. 334 (file 299), entitled "An act to amend an act relative to free schools in the city of Detroit," has set forth sundry reasons why this bill should not pass.

Mr. Marsh is a public spirited citizen of the city of Detroit, honored with the confidence of his fellow townsmen, and therefore taking it for granted that in opposin^g this bill, the fact that he is the head of the Detroit News Company, and that the passage of this bill will interfere with his revenue, has nothing to do with his zeal, I would desire to call the attention of your honorable body to the fallacies contained in his propositions. He says:

1st, "*In effect it will destroy competition among the houses publishing books.*"

The reverse of this is the case where the various publishing houses have a chance to compete for the trade of a large district like Detroit, the amount of the purchase will induce them to compete more sharply, and as there will be no "*news companies*," agents or retailers to provide for, the competing bids on the books can and will be placed at a very small margin. A reference to the effect of this competition in other cities where this system is in force will enlighten your honorable body. In New York City, the most extravagant of all school districts, the cost of school books averages for the whole school year \$1 10 per scholar, as is shown by official figures. In East Saginaw the cost is an average of less than \$1.00 per scholar. In the city of Detroit under the present system the cost is over \$6.00 per scholar.

The city of Detroit has an attendance in her public schools of 14,349. If we take as a basis the difference in the cost of books in New York and the cost of books in Detroit this bill would effect a saving of \$63,745.00 in the city of Detroit alone. What the bill would do is that it would cut off the profits on school books of the Detroit News Company, of which Mr. Marsh is the head.

Mr. Marsh's second proposition is:

2d. "*It will add an immense amount to the school tax, and thus interfere with appropriations for increase in school accommodations, and thus hazard such needed increase.*"

The city of Detroit has 14,349 children in its public schools. On the New York basis of \$1.10 per scholar, this bill will cost the city of Detroit \$15,783, a tax of one-tenth of a mill on Detroit property.

The present proportion of school tax to all other municipal taxes in the city of Detroit is 17.6 per cent. This bill, if *no reduction is made in other expenses*, will raise it to 18.8 per cent, an increase of 1.2 per cent—an extra expense which can be easily made up by a little economy in the fancy architecture of the new school-houses.

This bill will effect a saving of in round numbers \$63,000; it will cost the tax-payers \$15,000; raising the taxes 1-10 of a mill. As the tax-payers are the citizens and the citizens the tax-payers, the only losers would be the news companies. They with other middlemen would lose \$63,000.

Again Mr. Marsh says:

3rd. "*It will destroy competition among dealers in books.*"

That is to say it will kill the trade in school books of the Detroit news company. Of course it will.

The next proposition of Mr. Marsh is:

4th. "*There is no need therefor, as poor children who cannot afford to purchase books have the same now supplied to them.*"

This is only partially true. Children have the same impulses and the same feelings of pride as adults. Indeed I think their individual pride is greater, not having been dulled by rude contact with stern necessity. The manner in which the school board of the city of Detroit furnishes books to poor children so deeply wounds the pride of these children that those of them who have any manly self-respect refuse to attend school rather than use them, as it is impossible for them to conceal the fact from any and all of their school-mates that their books are furnished by charity. Where the school board furnishes all the books there is no more almsgiving in the matter than the furnishing of free buildings or free teachers.

Mr. Marsh says further:

5th. "*Where it has been adopted it has not proved a success.*"

This is either a willful misstatement, or one made in ignorance of the facts.

The system is in high favor wherever in force, except with the news companies, as a reference to every school report in such districts will show.

Mr. Marsh also says:

6th. *"Where children have all books supplied to them, they are not apt to take proper care of them, and such carelessness is in effect an additional burden of taxation."*

This is not true in fact, as has been proven by experience, and the statement is contrary to the dictates of common sense. Children are not thoughtful as to where their books come from. It is because they fear punishment from their parents that they take care of their books. The fear of punishment from the teacher is just as potent, and the teacher has immensely greater opportunities to observe the care taken of the school books than have the parents. And further, the teacher can excite a generous rivalry among the scholars in the care of the school books; the parents have no opportunity to do this, there being no chance to compare their children with others.

Another proposition of Mr. Marsh's is:

7th. *"There is no uniformity in the wear and tear of books, and children could not long be supplied with books in like condition."*

This is a matter of slight consequence. Nevertheless it is not true, as a reference to the reports of school districts where this system is in force will demonstrate.

The eighth proposition of Mr. Marsh is:

8th. *"It would complicate the machinery of conducting the schools, and the amounts required in large cities would place in the hands of the School Boards the letting of contracts involving large sums of money, and which has not and should not be exercised, as it would not only lay Boards open to charges of corruption, but would also lead often to the selection of not the best books."*

This proposition has three sub-divisions, the first of which is always used against every reform, no matter when, where or how proposed, and is not worthy of consideration. To some people anything which is new is complicated.

To the second let me call the attention of your honorable body, that the extra amount placed in the hands of the board is just one and two-tenths per cent. increase on the amount now in their hands. A great amount (?) truly. On the same basis of reasoning, why place any money in their hands at all?

To the third I would ask why the board would not select as good books under this system as they do under the present one? They select the books in both instances.

The last point made by Mr. Marsh is:

9th. *"There is no popular demand for it."*

Your honorable body is better able to judge of the popular demand for this system than either Mr. Marsh or myself.

Very respectfully,

GEO. W. WALTHER.

Referred to the committee on education.

No. 1178. By Mr. Ogg: Petition of 96 Detroit business men, asking that druggists be not taxed for sale of liquors when sold for medicinal and mechanical purposes.

Referred to the committee on liquor traffic.

No. 1179. By Mr. Preston: Petition of H. S. Sleeper and 18 others, asking that you make an appropriation for the mining school.

Also:

No. 1180. Petition of James M. Turner and 14 others, same subject.

Referred to the committee on school of mines.

No. 1181. By Mr. Jones: Petition of O. D. Gledden and others, business men of Big Rapids, remonstrating against the taxing of druggists for the sale of liquor.

Also,

No. 1182. Petition of W. H. Davis and 18 others; same subject.

Also,

No. 1183. Petition of L. V. Curry and 25 others; same subject.

Referred to committee on liquor traffic.

No. 1184. By Mr. Rogers: Petition of J. C. Otto and numerous others relative to the placing of text-books of physiology and hygiene in our public schools.

Referred to the committee on education.

No. 1185. By Mr. Bardwell: Petition of 46 business men of Flint, praying that the section in the bill now pending before the legislature requiring druggists to pay a tax on the business of selling intoxicating liquors be stricken out.

Referred to the committee on liquor traffic.

No. 1186. By Mr. Killean: Petition of W. E. Adzit and 20 others against taxing druggists for the sale of liquor.

Also,

No. 1187. Petition of Peck Brothers and 35 others, same subject.

Referred to the committee on liquor traffic.

No. 1188. By Mr. W. A. Baker: Petition of C. D. Nichols and 22 others of Berrien Springs against taxing druggists for selling liquor for medicinal purposes.

Also,

No. 1189. Petition of E. S. Curran and 20 others, same subject.

Also,

No. 1190. Petition of H. A. Ward and others, same subject.

Also,

No. 1191. Petition of Dr. John Bell and others, same subject.

Referred to the committee on liquor traffic.

No. 1192. By Mr. Holt: Petition of the State Ph. association remonstrating against the taxation of druggists for the sale of liquor.

Referred to the committee on liquor traffic.

No. 1193. By Mr. McMillan: Petition of Curtis Buck and 33 others asking for the passage of House bill 609, relative to the erection of monuments upon the battlefield of Gettysburg.

Referred to the committee on ways and means.

No. 1194. By Mr. Pardee: Petition of 11 business men of the village of Portland praying that the section in the bill now pending before the legislature requiring druggists to pay a tax on the business of selling intoxicating liquors be stricken out.

Referred to the committee on liquor traffic.

No. 1195. By Mr. Pardee: Petition of C. Watterbury and 9 others asking for the passage of House bill No. 530, relative to the insurance bureau.

Referred to the committee on ways and means.

No. 1196. By Mr. Pardee: Petition of O. J. Bretz and 20 others asking for the passage of House bill No. 909, relative to the liability of garnishees in justices courts.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 146 (file No. 92), entitled

A bill to amend an act entitled "An act for the incorporation of hospitals and asylums in cases where valuable grants or emoluments have been made to trustees for such purposes," approved March 20, 1863, by adding thereto a new section authorizing amendments of articles of incorporation of corporations organized under said act,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House without amendment and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 79, entitled

A bill making an appropriation for the support of the State Agricultural College, for the erection and repair of buildings and other improvements at said college for the years 1887 and 1888,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 79, entitled

A bill making an appropriation for the support of the State Agricultural College, for the erection and repair of buildings and other improvements at said college for the years 1887 and 1888,

Respectfully report the following estimates upon which said bill is based.

M. H. RUMSEY, *Chairman*.

Estimate of Appropriations for the State Agricultural College for 1887-1888.

FARM DEPARTMENT.

Drainage and permanent improvements.....	\$800 00	
Iron bridge over Cedar river.....		\$1,000 00
Filling approach to bridge.....		
Hand implements.....	200 00	
Two-horse cultivator.....	85 00	
Two sets harness.....	50 00	
Two plows.....	80 00	
Lumber for fencing and repairs.....	200 00	
Furniture and fixtures for farm house.....	200 00	
Twelve-horse-power engine and boiler.....	500 00	
Apparatus for class room.....	300 00	
Experimental work.....	500 00	\$2,815 00

MECHANICAL DEPARTMENT.

Shaping machine.....		\$4,000 00
Hand tools.....		
Blacksmith tools.....		
Material for work in iron shops.....		
Material for work in wood shops.....		
Twelve-horse-power engine.....		
Lathes for workshop.....		
Gas machine.....		
Mechanical and physical apparatus.....		

HORTICULTURAL DEPARTMENT.

Team and harness.....	\$800 00	
Market wagon.....	60 00	
Horse lawn mower.....	75 00	
Horse lawn rake made to order.....	30 00	
Plow.....	15 00	
Acme harrow.....	35 00	
3,000 lb. roller.....	40 00	
Hand cart.....	10 00	
Three hand lawn mowers.....	51 00	
One dozen wheelbarrows.....	20 00	
Garden wheelbarrow.....	8 00	
Fifty steel rakes.....	20 00	
Two dozen lawn rakes.....	6 00	
Fifty hoes.....	16 00	
One dozen sod cutters.....	4 00	
Two apple presses.....	2 00	
One dozen axes and helves.....	12 00	
Photographic apparatus.....	40 00	
Carpenters' tools.....	25 00	
Ornamental plants.....	100 00	
Fruit plants.....	100 00	
Drain tile.....	36 00	\$1,000 00

GREENHOUSE.

Plants and flowers.....	\$300 00	
100 ft. hose with couplings.....	15 00	
Tools.....	25 00	\$340 00

BOTANICAL DEPARTMENT.

Grasses, etc., for botanical garden.....		\$300 00
Herbarium.....		
Museum cases.....		
Bottles, Index clock and apparatus.....		
Experimental work for bulletins.....		

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VETERINARY DEPARTMENT.		
Models, tables, etc.....	\$200 00	\$200 00
CHEMICAL DEPARTMENT.		
Experiments and apparatus.....	\$2,000 00	\$2,000 00
ZOOLOGICAL DEPARTMENT.		
Preparation and preservation of specimens.....	}	\$1,500 00
General museum additions.....		
Apiary.....		
STEAM WORKS.		
Repairs for two years.....	}	\$4,500 00
Two new boilers and setting of same.....		
Extension of chimney.....		
Fireman two years.....		
Engineer two years.....		
MATHEMATICAL AND ENGINEERING DEPARTMENT.		
Compass, chains and pins.....	}	\$800 00
Drawing instruments.....		
Drawing models and copies.....		
Testing machine.....		
Casts for drawing.....		
Curtains.....		
ENGLISH DEPARTMENT.		
Dictionary, charts, etc.....	\$100 00	\$100 00
MILITARY DEPARTMENT.		
Fitting up drill room and armory.....	\$500 00	\$500 00
LIBRARY.		
Books, etc., two years.....	\$3,000 00	\$3,000 00
FARMERS' INSTITUTES.		
Expenses two years.....	\$800 00	\$800 00
REPAIRS OF BUILDINGS AND GROUNDS.		
Fire escape for dormitories.....	\$500 00	\$2,500 00
Painting and repairs of greenhouse.....	400 00	
Addition to greenhouse dwelling.....	400 00	
Incidental repairs.....	1,000 00	
Culvert and embankment in place of rustic bridge.....	250 00	
NEW BUILDINGS.		
Barn for horticultural department.....	\$500 00	\$21,700 00
Laboratory for horticultural department.....	5,000 00	
Addition to mechanical building.....	3,000 00	
Barn at Prof. McLouth's house.....	200 00	
Dormitories and boarding arrangements for 64 students.....	10,000 00	
Extending water works system.....	2,000 00	\$21,700 00
Artesian well.....	1,000 00	
STUDENT LABOR.		
For two years @ \$4,000.....	\$8,000 00	\$8,000 00
Total.....		\$55,105 00

By the committee on military affairs:

The committee on military affairs, to whom was referred
House bill No 571, entitled

A bill to provide for the appointment of five commissioners to designate the position and movements of troops of the State of Michigan on the battle-field of Gettysburg, and the erection of suitable monuments to the memory

of the soldiers of the State of Michigan who were engaged in that battle, and to make an appropriation therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

H. L. WOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wood,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then referred to the committee on ways and means.

By the committee on liquor traffic:

The committee on liquor traffic, to whom was referred

House bill No. 631, entitled

A bill to regulate the keeping of saloons or drinking houses, and to discourage tippling,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY WATSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The bill was laid on the table.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 904 (file No. 149), entitled

A bill to amend sections 4, 87 and 215 of an act entitled "An act to incorporate the city of Owosso," approved February 15, 1859, amended March 15, 1861, February 22, 1865, April 2, 1869, May 3, 1875, May 10, 1881, and June 17, 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to amend sections 4, 87 and 215 of act No. 215, session laws of 1859, entitled An act to incorporate the city of Owosso, approved Feb. 15, 1859, and all subsequent amendments of said sections,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. F. H. Watson,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. F. H. Watson,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Kirby,	Mr. Rounselle,
Allen,	Diekema,	Lakey,	Rumsey,
Anderson,	Dillon,	Lincoln,	Simpson,
Ashton,	Douglass,	Linton,	Snow,
Baker, S.,	Dunbar,	Makelim,	Spencer,
Baker, W. A.,	Eldred,	Manly,	Thompson,
Baldwin,	Engleman,	McCormick,	Tindall,
Bardwell,	Goodrich,	McGregor,	VanOrthwick,
Bates,	Green,	McKie,	Vickary,
Baumgardner,	Grenell,	McMillan,	Vroman,
Beecher,	Haskin,	Mulvey,	Washburn,
Bettinger,	Hill,	Ogg,	Watson, F. H.
Bentley,	Hoaglin,	O'Keefe,	Watson, H.,
Breen,	Holt,	Oviatt,	Watts,
Brock,	Hoobler,	Powers,	Wellman,
Burr,	Hosford,	Preston	Williams, T. H.
Cannon,	Houk,	Reader,	Williams, W. W.
Case,	Hunt,	Rentz,	Wilson,
Chamberlain,	Jones,	Robinson, J. W.	Wood,
Chapell,	Kelley,	Robinson, R.,	Speaker,
Cole,	Killean,		

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NAYS.

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Title agreed to.

On motion of Mr. F. H. Watson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 816 (manuscript), entitled

An act to authorize the city of Kalamazoo to purchase grounds, erect buildings thereon, and maintain a city hospital.

Also,

House bill No. 333 (file No. 287), entitled

An act to amend section 4 of chapter 12 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, and being act number 326 of the local laws of 1883.

Also,

House bill No. 266 (file No. 145), entitled

An act to amend section 1 of chapter 9 of act No. 326 of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," approved June 7th, 1883.

Also,

House bill No. 489 (manuscript), entitled

An act to amend section 1 of act 222, session laws of 1873, entitled "An act to incorporate the village of Pierson," approved March 27, 1883, as amended by act No. 322, session laws of 1879, approved March 29, 1879.

Also,

House bill No. 246, (manuscript), entitled

An act to amend sections 2 and 4 of article 6 of act No. 290 of the session laws of 1867, entitled "An act to incorporate the village of St. Johns," and the acts amendatory thereof.

Also,

House concurrent resolution relative to printing the report of the select joint committee on insurance.

ROBERT Y. OGG, *Chairman.*

Report accepted.

By the committee on agriculture:

The committee on agriculture, to whom was referred

House bill No. 876, entitled

A bill to amend section 4 of chapter 12 of the compiled laws of 1871, relative to the powers and duties of townships and the election and duties of township officers, being section 673 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to repeal section 2 and to amend sections 1 and 8 of act No. 185 of session laws of 1867 and the acts amendatory thereto, entitled An act to prevent animals from running at large in the public highways, the same being respectively sections 2106, 2107 and 2113 of Howell's annotated statutes, and to amend section 4 of chapter 16 of the revised statutes of 1846, relative to the powers and duties of townships, the same being section 673 of Howell's annotated statutes,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

J. W. WATTS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Watts,

The House concurred in the adoption of the substitute reported for the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, April 22, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 667, entitled

A bill to amend the charter of the city of Saginaw and to repeal act No. 227, local acts of 1883, entitled An act to revise and amend the charter of the city of Saginaw and to repeal act No. 496 of the laws of 1867, entitled an act to revise and amend the charter of the city of Saginaw, approved Feb. 5, 1859, as amended by act No. 338, local acts of 1885, approved April 29, 1885,

And to inform the House that the Senate has amended the same as follows :

By striking out of title I, sections 1 and 2, and inserting in lieu thereof the following, to stand as such sections:

TITLE I.

INCORPORATION—CITY AND WARD BOUNDARIES.

SECTION 1. *The People of the State of Michigan enact*, That the following described territory in the county of Saginaw, and State of Michigan, to-wit: Beginning at the center of the Saginaw river on the quarter line of section thirteen (13), in township twelve (12) north of range four (4) east; thence west along the quarter line of sections thirteen, fourteen and fifteen to the west line of said section fifteen in said township, thence south on the section lines to the center of the Tittabawassee river; thence along the center of said river to the center of Saginaw river; and thence along the center of the Saginaw river to the place of beginning, be and the same is hereby set off and constituted an incorporated city by the name of "The City of Saginaw," and by that name may sue and be sued, implead and be impleaded, complain and defend, in any court of record, and other place whatsoever; may have a common seal and alter it at pleasure; and may take, hold, purchase, lease, convey and dispose of any real, personal or mixed estate for the use of said corporation.

SEC. 2. Said city shall be divided into six wards. The first ward shall comprise all that part of said city within the following boundaries, to wit: Commencing at the center of the Saginaw river on the quarter line of section thirteen (13), in said township twelve (12) north, of range four east; thence west on said quarter line to the center of section fourteen (14) in said township, that being the center of Eighteenth street in said city; thence south on and along the center of Eighteenth street to the center of section twentythree (23) in said township twelve (12) north, of range four (4) east; thence east on and along the east and west quarter line of sections twenty-three (23) and twenty-four (24) to the center of the Saginaw river; thence along the center of the Saginaw river to the place of beginning,

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Snow moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion did not prevail, two-thirds of the members present not voting therefor.

The message was then laid over one day under the rules.

THIRD READING OF BILLS.

House bill No. 691 (file No. 333), entitled

A bill making an appropriation of State swamp land to aid the townships of Eggleston and Mooreland, in the county of Muskegon, for the purpose of cleaning, dredging and clearing out the south branch of Black Creek, in the

township of Eggleston, and also the township and county drains in the township of Moreland, in said county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Lincoln,	Mr. Rogers,
Allen,	Damon,	Linton,	Rumsey,
Baker, S.,	Diekema,	Makelim,	Simpson,
Baker W. A.,	Engleman,	Manly,	Snow,
Bates,	Goodrich,	McGregor,	Spencer,
Baumgardner,	Green,	Mulvey,	Thompson,
Bettinger,	Haskin,	O'Keefe,	Washburn,
Breen,	Hill,	Pardee,	Watson, F. H.
Brock,	Holt,	Powers,	Watts,
Burr,	Hoobler,	Preston,	Wellman,
Cady,	Jones,	Reader,	Wilson,
Chamberlain,	Killean,	Robinson, J. W.	Wood,
Chapell,	Kirby,	Robinson R.,	Speaker,
Cole,	Lahey,		

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NAYS.

Mr. Anderson,	Mr. Eldred,	Mr. Kelley,	Mr. Rentz,
Chapman,	Hoaglin,	Oviatt,	Stuart,
Dillon,	Hosford,	Pettit,	Vroman,
Dunbar,	Houk,	Pierce,	Watson, H., 16

The question being on agreeing to the title,

Mr. Holt moved to amend the title so as to read as follows:

A bill making an appropriation of State swamp land for the purpose of cleaning, dredging and clearing out the south branch of Black Creek, in the township of Eggleston, and also the township and county drains in the township of Moreland, in Muskegon county, and directing the board of control of State swamp lands to conduct the same,

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 377 (file No. 341), entitled

A bill to authorize the board of control of State swamp lands to make an appropriation of swamp lands to drain and reclaim marsh and overflowed lands in the townships of Albee and Spaulding, Saginaw county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapell,	Mr. Lincoln,	Mr. Robinson, J. W.
Allen,	Cole,	Linton,	Robinson, R.
Anderson,	Crocker,	Makelim,	Rogers,
Ashton,	Damon,	Manly,	Rounsville,
Baker, W. A.	Diekema,	McCormick,	Rumsey,
Bates,	Engleman,	McGregor,	Simpson,

Mr. Baumgardner,	Mr. Goodrich,	Mr. McKie,	Mr. Snow,
Beecher,	Grenell,	McMillan,	Spencer,
Bettinger,	Haskin,	Mulvey,	Thompson,
Bentley,	Hill,	O'Keefe,	Tindall,
Brock,	Holt,	Pardee,	Watson, F. H.,
Burr,	Hoobler,	Powers,	Wellman,
Cady,	Killean,	Preston,	Wilson,
Cannon,	Kirby,	Reader,	Wood,
Chamberlain,	Lakey,	Rentz,	Speaker, 60

NAYS.

Mr. Eldred,	Mr. Kelley,	Mr. Pierce,	Mr. Vroman,
Hoaglin,	Oviatt,	Stuart,	Watson, H.,
Houk,	Pettit,		10

Title agreed to.

On motion of Mr. Snow,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 560 (file No. 334), entitled

A bill to provide for the straightening, opening, deepening and widening Little Sturgeon creek, in Midland county, and making an appropriation of State swamp lands for same,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Lincoln,	Mr. Rogers,
Allen,	Diekema,	Linton,	Rumsey,
Anderson,	Dillon,	Makelim,	Simpson,
Baker, W. A.,	Engleman,	Manly,	Snow,
Bardwell,	Goodrich,	McCormick,	Spencer,
Bates,	Grenell,	McGregor,	Thompson,
Baumgardner,	Haskin,	Mulvey,	Tindall,
Brock,	Hill,	O'Keefe,	Washburn,
Burr,	Holt,	Pardee,	Watson, F. H.,
Cady,	Hoobler,	Powers,	Wellman,
Cannon,	Hosford,	Preston,	Williams, W. W.
Chamberlain,	Hunt,	Reader,	Wilson,
Chapell,	Killean,	Rentz,	Wood,
Cole,	Kirby,	Robinson, J. W.	Speaker, 59
Crocker,	Lakey,	Robinson, R.,	

NAYS.

Mr. Case,	Mr. Hoaglin,	Mr. McMillan,	Mr. Pierce,
Dunbar,	Houk,	Oviatt,	Stuart,
Eldred,	Kelley,	Pettit,	Watson, H. 12

Title agreed to.

On motion of Mr. Wilson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House Bill No. 628 (file No. 350), entitled

A bill to amend sections 1, 2, 4, 5 and 22 of act 321, entitled "An act to authorize a board of public works in and for the city of Grand Rapids," approved March 22, 1873, as amended by the several acts amendatory thereof, and to add to said act a new section to be known and numbered as section 24 of said act,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Makelim,	Mr. Rumsey,
Allen,	Dillon,	Manly,	Snow,
Anderson,	Dunbar,	McCormick,	Simpson,
Ashton,	Engleman,	McGregor,	Spencer,
Baker, W. A.	Goodrich,	McKie,	Stuart,
Baldwin,	Green,	McMillan,	Thompson,
Bardwell,	Grenell,	Mulvey,	Tindall,
Bates,	Haskin,	Ogg,	Van Orthwick,
Baumgardner,	Hill,	O'Keefe,	Vickary,
Beecher,	Hoaglin,	Oviatt,	Washburn,
Bettinger,	Holt,	Pettit,	Watson, F. H.,
Bentley,	Hoobler,	Pierce,	Watson, H.,
Brock,	Hunt,	Powers,	Watts,
Burr,	Jones,	Preston,	Webber,
Cady,	Kelley,	Reader,	Wellman,
Cannon,	Killean,	Rentz,	Williams, T. H.
Case,	Kirby,	Robinson, J. W	Williams, W. W
Chamberlain,	Lakey,	Robinson, R.,	Wilson,
Chapell,	Lincoln,	Rogers,	Wood,
Cole,	Linton,	Rouns ville,	Speaker,
Crocker,			

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NAYS.

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The question being on agreeing to the title,

Mr. Killean moved to amend the title so as to read as follows:

A bill to amend Secs. 1, 2, 4, 5, 22 and 23 of act No. 321 session laws of 1873, entitled "An act to authorize a board of public works in and for the city of Grand Rapids," approved March 22, 1873, as amended by the several acts amendatory thereof, and to add to said act a new section to be known and numbered as section 24 of said act,

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Killean,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 580 (file No. 349), entitled

A bill to amend section 23 of act No. 250 of the session laws of 1873, being an act to revise the charter of the city of Coldwater, as amended by act No. 368 of the local acts of the session laws of 1879, by adding a proviso for alternative sentences by justices of the peace,

Was read a third time and passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Manly,	Mr. Rounselle,
Allen,	Dunbar,	McCormick,	Rumsey,
Baker, W. A.,	Eldred,	McGregor,	Simpson,
Baldwin,	Goodrich,	McKie,	Snow,
Bates,	Green,	McMillan,	Spencer,
Baumgardner,	Grenell,	Mulvey,	Stuart,
Beecher,	Haskin,	Ogg,	Thompson,
Bettinger,	Hill,	O'Keefe,	Tindall,
Bentley.	Holt,	Oviatt,	VanOrthwick,
Brook,	Hoobler,	Pardee,	Vickary,
Burr,	Hosford,	Pettit,	Washburn,
Cady,	Hunt,	Pierce,	Watson, H.,
Case,	Jones,	Powers,	Watts,
Chamberlain,	Kelly,	Preston,	Webber,
Chapell,	Killeen,	Reader,	Wellman,
Chapman,	Kirby,	Rentz,	Williams, T. H.
Cross,	Linton,	Robinson, J. W.	Williams, W. W.
Damon,	Lincoln,	Robinson, R.,	Wilson,
Diekema,	Makelim,	Rogers,	Speaker 76

NAYS.

Mr. Wood,	1
Title agreed to.	
On motion of Mr. Diekema,	
By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.	

MOTIONS AND RESOLUTIONS.

Mr. Holt moved to discharge the committee of the whole from the further consideration of

House bill No. 168 (file No. 366), entitled

A bill to provide for the drainage and reclamation of swamp land by means of a ditch from Little Black Lake in the county of Muskegon, to Lake Michigan, and to make an appropriation of State swamp land therefor,

Which motion prevailed.

On motion of Mr. Holt,

The bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Oviatt moved to amend the bill by inserting in line 2, section 1, the word "hundred" after the word "three,"

Which motion did not prevail.

Mr. Chapman moved to amend the bill by striking out in line 3, section 1, after the word "appropriated," the words "in the Upper Peninsula."

Which motion did not prevail.

Mr. Manly moved to amend the bill by striking out in line 2, section 1, the word "three" and inserting the word "one" in lieu thereof,

Which motion did not prevail.

Mr. H. Watson moved that the enacting words of the bill be stricken out, Which motion did not prevail.

Mr. F. H. Watson moved that the bill do lie on the table,
Which motion did not prevail.

Mr. Abbott demanded the previous question.

The demand was seconded.

The question being shall the main question now be put,

The same was ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Kirby,	Mr. Rogers,
Allen,	Diekema,	Lakey,	Rumsey,
Anderson,	Dillon,	Lincoln,	Simpson,
Baker, W. A.	Douglass,	Linton,	Snow,
Bates,	Engleman,	Makelim,	Spencer.
Baumgardner,	Goodrich,	McCormick,	Thompson,
Bettinger,	Green,	McGregor,	Washburn,
Breen,	Grenell,	O'Keefe,	Watson F.H.,
Brock,	Haskin,	Powers,	Watts,
Burr,	Hill,	Preston,	Wellman,
Cady,	Holt,	Reader,	Wilson,
Chamberlain,	Hoobler,	Robinson, J.W.	Wood,
Chapell,	Killean,	Robinson, R.,	Speaker,
Cole,			

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NAYS.

Mr. Baldwin,	Mr. Eldred,	Mr. Manly,	Mr. Pierce,
Cannon,	Hoaglin,	McKie,	Rentz,
Case,	Houk,	McMillan,	VanOrthwick,
Chapman,	Hunt,	Oviatt,	Watson H.,
Crocker,	Jones,	Pettit,	Webber,
Dunbar,	Kelley,		

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Title agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Simpson,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

On motion of Mr. Lakey,

Leave of absence was granted to himself until Wednesday next.

On motion of Mr. Pierce,

Leave of absence was granted to himself until Monday next.

On motion of Mr. McKie,

Leave of absence was granted to himself until Monday next.

PRESENTATION OF PETITIONS.

Mr. Bettinger presented the following petition:

No. 1197. Petition of the lager beer manufacturers of the State relative to taxation.

On demand of Mr. Bettinger,

The petition was read at length, and spread at large on the journal, as follows:

To the Honorable the Senate and House of Representatives of the State of Michigan:

The manufacturers of lager beer in this State would respectfully show:

First, That there are no distilleries in the State of Michigan for the manufacture of spirituous liquors. That there are small quantities of wines and large quantities of lager beer manufactured in the State, and we believe there are not any other kinds of malt, brewed or fermented liquor manufactured in this State;

Second, That a tax, therefore, upon the manufacture of spirituous and intoxicating, malt, brewed, fermented or vinous liquors, can only reach and be exacted from the manufacturers of lager beer and wines;

Third, That such manufactures are assessed under the general laws of this State upon all their real and personal property, and pay taxes thereon, in the same manner as owners of all property therein, not subject to the payment of a specific tax;

Fourth, That at the time the payment of such tax was imposed there was also imposed upon non-residents of this State who sold herein, a like tax. That while such provision was declared valid by the supreme court of this State, the supreme court of the United States has recently decided and held the same unconstitutional and void, so that such non-residents are not and cannot be taxed, nor can the Legislature of this State subject such non-resident manufacturers or dealers to the payment of any tax whatever;

Fifth, The result therefore is that the resident manufacturer has to pay a double tax, first, upon his property, according to the cash value thereof, and secondly, a specific tax as a manufacturer, and compete with a non-resident who does not pay any tax whatever in this State. This we respectfully submit is an unjust discrimination against the resident and in favor of the non-resident should it be permitted longer to remain in force. Until the decision referred to in the supreme court of the United States we could not and did not complain;

Sixth, There is but one argument we can conceive of in favor of permitting this unjust discrimination to remain, viz: that the sale and consumption of such liquors may thereby be diminished in this State. We respectfully submit, however, that such discrimination has no such tendency. So long as there is a public demand for beer and wines, and especially so long as the sale thereof is legal, the taxation of any or all the breweries in this State out of existence, would not affect the question. The brewers and dealers in other States would supply the demand, and would be only too happy to do so, and as they are not subject to the demands or regulations of this State, they should not be favored at our expense.

Seventh, The protection of home industries has been the principal plank in the platform of one of the great parties of the State and nation, while the other great party has been in favor of free trade. The law we complain of violates the principles of both parties, and proclaims taxation of home industries for the benefit of foreign manufacturers.

We therefore respectfully ask that in view of the decision referred to we may hereafter be relieved from such an unjust discrimination, and your petitioners will ever pray, etc.

Ochsenhirt & Co.,
 F. Dittmer Brewing Co.,
 Fred. Dittner, *Treas.*,
 Ekhardt & Becker,
 Props. Mich. Brewery.
 Bavarian Brewing Co.,
 W.P. Rategan, *Sec & Tr.*,
 Jacob C. Mann,
 Charles Embriss,
 Edward B. Voight,
 A. Goebel & Co.,
 B. Stroh Brewing Co.,
 Julius Stroh, *Sec.*,
 Fulda & Bonner,
 John Zymber,

Thomas McGrath,
 H. Darmstatter & Bro.,
 W. E. Moloney,
 Union Brewing Co.,
 F. Kling & Co.,
 George Bloss,
 Chas. Qiegace,
 Hauck Brewing Co.,
 Germania Brewing Co.,
 Westphalia Brewing Co.,
 F. August, *Tr. & Sec.*
 Jos. F. Clemens,
 Augustus Buoff,
 Detroit Brewing Co.

Referred to committee on liquor traffic.

UNFINISHED BUSINESS:

Being the consideration of Senate amendment to House bill No. 659 (file No. 209), entitled

A bill to amend sections 1 and 2 of act 179 of the public acts of 1883, entitled "An act to regulate the width of wagon tires to be used with lumber wagons," approved June 8, 1883,

Which has been reported as follows:

"SECTION 1. *The People of the State of Michigan enact*, That sections 1 and 2 of act No. 179 of the session laws of 1883, entitled "An act to regulate the width of wagon tires to be used with lumber wagons," approved June 8, 1883, be and the same are amended so as to read as follows:

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Tindall,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Kelley,	Mr. Robinson, J. W
Allen,	Cross,	Killean,	Robinson, R.,
Ashton,	Damon,	Kirby,	Rogers,
Baker, W. A.,	Diekema,	Lakey,	Rounsville,
Baldwin,	Dillon,	Linton,	Rumsey,
Bardwell,	Douglass,	Makelim,	Spencer,
Bates,	Dunbar,	McCormick,	Stuart,
Baumgardner,	Engleman,	McKie,	Thompson,
Beecher,	Goodrich,	McMillan,	Van Orthwick,
Bettinger,	Green,	Mulvey,	Washburn,
Bentley,	Grenell,	Ogg,	Watson, H.
Brock,	Haskin,	O'Keefe,	Watts,
Burr,	Hill,	Oviatt,	Webber,
Cady,	Hoaglin,	Pettit,	Wellman,
Case,	Holt,	Pierce,	Williams, W. W
Chapell,	Hoobler,	Preston,	Wilson,
Chapman,	Hosford,	Rentz,	Speaker,
Cole,	Hunt,		70

NAYS.

Mr. Jones,	Mr. Reader,	Mr. Williams, T.H.	Mr. Wood,
Manly,	Vroman,		6

The bill was referred to the committee on engrossment and enrollment for enrollment.

The hour having arrived for the

SPECIAL ORDER,

On motion of Mr. H. Watson,

The House went into committee of the whole on the special order,

Whereupon the Speaker called Mr. Chapman to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 504 (file No. 371), entitled

A bill to revise, consolidate and amend the liquor laws of this State,

But not having gone through therewith, have directed their chairman to report that fact to the House, with the recommendation that sundry amendments made to the bill and others offered by Mr. Diekema be printed in the Journal, and ask leave to sit again.

A. R. CHAPMAN, *Chairman.*

Report accepted.

On motion of Mr. W. W. Williams,

Leave was granted the committee to sit again for the consideration of the bill, and the several amendments made to the bill, and those offered by Mr. Diekema were ordered printed in the Journal.

The bill with pending amendments is as follows:

SECTION 1. *The People of the State of Michigan enact*, That in all townships, cities and villages of this State there shall be paid annually the following tax upon the business of manufacturing, selling, or keeping for sale, by all persons whose business, in whole or in part consists in selling or keeping for sale, or manufacturing distilled or malt liquors, or mixed liquors as fol-

lows: Upon the business of selling or offering for sale spirituous or intoxicating liquors, or mixed liquors, by retail, or any mixture or compound, excepting proprietary patent medicines, which in whole or in part consists of spirituous or intoxicating liquors, or any malt, brewed, or fermented liquors, five hundred dollars per annum; upon the basis of selling brewed or malt liquors at wholesale, or at wholesale and retail, five hundred dollars per annum; upon the business of selling spirituous or intoxicating liquors at wholesale, or at wholesale and retail, eight hundred dollars per annum; upon the business of manufacturing brewed or malt liquors for sale, if the quantity manufactured be less than fifteen hundred barrels, one hundred dollars per annum, and fifty dollars upon each additional thousand barrels or part thereof; upon the business of manufacturing for sale spirituous or intoxicating liquors, eight hundred dollars per annum. No person paying a tax on spirituous or intoxicating liquors under this act shall be liable to pay any tax on the sale of malt, brewed or fermented liquors. No person paying a manufacturer's tax on brewed or malt liquors under this act shall be liable to pay a wholesale dealer's tax on the same.

SEC. 2. Retail dealers of spirituous or intoxicating liquors, and brewed, malt, and fermented liquors, shall be held and deemed to include all persons who sell by the drink, and in quantities of five gallons or less, or one dozen quart bottles or less, at any one time, to any person or persons. Wholesale dealers shall be held and deemed to mean and include all persons who sell or offer for sale such liquors and beverages in quantities of more than five gallons, or more than one dozen quart bottles, at any one time, to any person or persons. No tax imposed under this act shall be required from any person for selling any wine or cider made from fruits grown or gathered in this State, unless such wine or cider be sold by the drink as other beverages are. The provisions of this act shall not apply to druggists who sell liquors for chemical, scientific, medical [medicinal], mechanical, or sacramental purposes only, and in strict compliance with law:

It shall not be lawful for any druggist, nor for any person whose business consists in whole or in part of the sale of drugs and medicines, directly or indirectly, by himself, his clerk, agent or servant, at any time, to sell, furnish, give, or deliver, any spirituous, malt, brewed, fermented, or vinous liquor, or any mixed liquor, a part of which is spirituous, malt, brewed, fermented, or vinous, to a minor, except for medicinal or mechanical purposes, on the written order of the parent or guardian of such minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the habit of getting intoxicated, nor to any Indian or any person of Indian descent, nor to any person whose husband, wife, parent, child, guardian, or employer, supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county in which such person shall reside or temporarily remain, who shall forbid the same, nor to any other person to be used as a beverage, nor to any person to be drank on the premises, nor to be mixed and drank with any beverage drawn from a soda fountain or other apparatus or device for dispensing aerated or other beverages, but such druggist shall be allowed to sell said liquors for medicinal, mechanical and sacramental purposes only, and subject to the following restrictions and conditions: Every such dealer in drugs and medicines shall procure and keep a suitable blank book in which shall be recorded by said druggist, his clerk or employé the names of all persons applying for such liquor for

any of these lawful purposes, the date of each sale, the amount and kind of liquor sold to each person, and the purpose to which the same was to be applied, as stated by the purchaser, which book shall be kept in the store of said druggist, and shall be open to all persons for examination during all business hours; and the failure to keep a record of every such sale, or the delivery of liquor for any purpose other than above named, shall subject such druggist to the penalties provided for in this section.

Provided, That such druggists shall, on or before the first Monday in May in each year, or before commencing business, execute and file with the county treasurer of the county in which he is carrying on such business, a bond, the sufficiency of which shall be determined by the township board of the township, or the board of trustees, or the common council of the village or city in which such business is proposed to be carried on, to the People of the State of Michigan, in the sum of two thousand dollars with two or more sufficient sureties, who shall be freeholders and residents of the county in which such business is proposed to be carried on, each of whom shall justify in a sum equal to the amount of the bond, over and above all indebtedness, and all exemptions from sale on execution, and all liability on other similar bonds, which bond shall be substantially in the following form:

Know all men by these presents that we as principal and and as sureties, are held and firmly bound unto the people of the State of Michigan in the sum of two thousand dollars, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators firmly by these presents. Sealed with our seals and dated this day of 18

WHEREAS, The above named principal proposes to carry on the business of a druggist at, in the county of, and State of Michigan;

AND WHEREAS, The said principal hath covenanted and agreed, and doth hereby covenant and agree as follows, to wit: That he will not directly or indirectly by himself, his clerk, agent, or servant, at any time, sell, furnish, give, or deliver any spirituous, malt, brewed, fermented or vinous liquor, or any mixed liquor, a part of which is spirituous, malt, brewed, fermented or vinous, to a minor except for medicinal or mechanical purposes, on the written order of the parent or guardian of such minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the habit of getting intoxicated, nor to any Indian, or any person of Indian descent, nor to any person whose husband, wife, parent, child, guardian, or employer, supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county in which such person shall reside or temporarily remain, shall forbid such selling, furnishing or giving to as aforesaid, and that he will not sell to any person to be drank on the premises, nor to be mixed and drank with any beverage drawn from a soda fountain or other apparatus or device for dispensing areated or other beverages; that he will sell such liquors for medicinal, mechanical and sacramental purposes only, and that he will pay all damages, actual and exemplary, that may be adjudged to any person for injuries inflicted upon them, either in person or property, or means of support, by reason of his selling, furnishing, giving or delivering any such liquors.

Now, the condition of this obligation is such that if said principal shall well

and truly keep and perform all and singular the foregoing covenants and agreements, and shall pay any judgment for actual or exemplary damages which may be recovered against him in any court of competent jurisdiction, and all fines and costs that may be imposed upon him for violations of this act, then this obligation shall be void and of no effect, otherwise the same shall be in full force and effect.

Signed and sealed in the presence of

 [L. S.]
 [L. S.]
 [L. S.]

 Whenever any druggist shall violate any provisions of this section, he shall on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than one hundred nor more than five hundred dollars and costs of prosecution, and imprisonment in the county jail not less than ninety days nor more than one year; for a second violation of any of the provisions of this act such druggist shall in addition to paying the penalty hereinbefore provided for, be debarred from selling in this State any of the liquors hereinbefore mentioned for a period of five years from and after the date of such conviction: *Provided*, That every drug clerk shall, in addition, be responsible for violating the provisions of this act, for his personal act or negligence, or violation subject to the same penalty as proprietors.

SEC. 3. Every person engaged in, or intending to engage in any business named in section one of this act, and requiring the payment of any tax mentioned in said section one, shall, on or before the first Monday in May in each year, make and file with the county treasurer, in the county where it is proposed to carry on such business, a statement in writing and on oath, showing the name and residence of such person, the ward, village or township in which it is proposed to carry on such sale, or manufacture, and the nature of the business which such person is engaged in, or is intending to engage in; and shall, on or before the first Monday in May in each year, pay to the said county treasurer, in advance, the taxes required by said section one for such business for the year commencing on said first Monday of May, and ending on the first Monday of May next thereafter.

SEC. 4. Any person engaged in any such business after the first Monday in May in each year shall, before commencing such business, make and file the like statement on oath, as is provided for in section three of this act, and pay in advance to said county treasurer, a *pro rata* portion of the yearly tax on such business, as provided in section one, for the remainder of the year ending on the first Monday of May next ensuing; and in computing the time of such fractional part of a year for which a tax is demanded, the tax shall commence on the first Monday of that month in which said business shall commence. But no tax shall be less than one-half of the yearly tax.

SEC. 5. On receiving the tax provided for in this act, the county treasurer shall give a receipt for the money so paid, to the person or persons of whom the same shall be received, in which receipt the name of the person or persons paying the tax shall be named, the amount of the tax and the time for which it was paid, the city, village or township in which the business is to be conducted, and the kind of business for or on account of which the tax was paid; and also a notice printed on full size printer's card board, and in as large letters as practicable, which notice shall contain a statement of

what tax has been paid by the holder of said notice and the penalty for selling liquors in violation of the provisions of this act, and that ten dollars costs will be paid to the person making complaint upon the conviction of the offender, and that complaint may be made to any justice of the peace or police justice, and before commencing or doing any business for the time for which such tax is paid, and the receipt is given, the same shall be posted up and at all times displayed in a conspicuous place in the room or place where the sale of the liquors or beverages named in this act, and for which the tax was paid, is carried on, so that such receipt and notice shall be displayed in a conspicuous manner to all persons visiting or frequenting such room or place; and any person or persons who shall carry on any business or sell any liquors or beverages for which a tax is required to be paid by this act, without having such receipt and notice posted up and displayed at all times in the place where such business or sale is or are carried on, shall be deemed guilty of a misdemeanor, and shall be subject to the same fine and punishment as is provided in this act for the neglect or refusal to pay the tax required by this act. And it shall be the duty of the auditor general to prepare printed blank receipts and notices conforming to the provisions of this act, and to furnish the same in proper quantities to the several county treasurers of the State, and no county treasurer shall issue any such receipt or notice until the tax specified herein shall be paid in full.

SEC. 6. If any person or persons shall engage or be engaged in any business requiring the payment of a tax under section one of this act, without having paid in full the tax required by this act, and without having the receipt and notice for such tax posted up as required by this act, or without having made, executed and delivered the bond required by this act, or shall in any manner violate any of the provisions of this act, such person or persons shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than two hundred dollars and costs of prosecution, and by imprisonment in the county jail not less ten days nor more than ninety days, in the discretion of the court. And in case such fine and costs shall not have been paid at the time such imprisonment expires, he, the person serving out such sentence, shall be further detained in jail until such fine and costs shall have been fully paid: *Provided*, That in no case shall the whole term of imprisonment exceed six months. And any person engaged in any business requiring the payment of a tax under section one of this act, who, after paying the tax so required, shall be convicted of a violation of any of the provisions of this act, shall forfeit the tax paid by him or them, and be debarred from again engaging in any business requiring the payment of a tax under section one of this act, or from becoming a surety or sureties upon any bond required under section seven of this act, during the remainder of the year for which the tax so forfeited was paid. The forfeiture of the tax shall be in addition to the penalty hereinbefore prescribed. Each violation of any of the provisions of this act shall be construed to constitute a separate and complete offense, and for each violation on the same day, or on different days, the person or persons offending shall be liable to the forfeitures and penalties herein provided.

SEC. 7. Every person engaged in the sale of any spirituous, malt, brewed, fermented or vinous liquors, excepts druggists, shall before commencing such business, and on or before the first day of May, in each and every year thereafter, make, execute, and deliver to the county treasurer of the county in which he is carrying on such business, a bond, the sufficiency of which shall

be determined by the township board of the township, or the board of trustees, or the common council of the village or city in which such business is proposed to be carried on, to the people of the State of Michigan, in the sum of not less than three thousand nor more than six thousand dollars, with two or more sufficient sureties, who shall be male residents and free holders of the township, village or city in which such business is proposed to be carried on, neither of whom shall hold any elective or appointive office in any county, city, village or township of this State, or be engaged, either as principal, agent, or servant, either directly or indirectly, in the sale of any of the liquors mentioned in this act, nor a surety upon any other bond required by the provisions of this act, and each of whom shall justify in unincumbered real estate situated in the county in which such business is proposed to be carried on in a sum equal to the amount of the bond, over and above all indebtedness, and all exemptions from sale or execution, which bond shall be substantially in the following form: Know all men by these presents, that we,
, as principal, and and
, as sureties, are held and firmly bound unto the people of the State of Michigan in the sum ofdollars, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, firmly by these presents. Sealed with our seals and dated thisday ofA. D. 18.....

WHEREAS, the above named principal professes to carry on the business of
 ---- (and describing the place of business) ----, at ----, in the county of
 ----;

AND WHEREAS, The said principal has covenanted and agreed, and doth hereby covenant and agree as follows, to-wit: That he will not directly or indirectly, by himself, his clerk, agent or servant, at any time, sell, furnish, give, or deliver any spirituous, malt, brewed, fermented, or vinous liquor, any mixed liquor, or any mixture or compound, a part of which is spiritous, malt, brewed, fermented or vinous liquor to a minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the habit of getting intoxicated, nor to any Indian, or any person of Indian descent, nor to any person whose husband, wife, parent, child, guardian, employer, supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county in which such person shall reside or temporarily remain, shall forbid the same, and that he will pay all damages, actual and exemplary, that may be adjudged to any person for injuries inflicted upon them, either in person or property, or means of support, by reason of his selling, furnishing, giving, or delivering any such liquors.

Now the condition of this obligation is such that if said principal shall well and truly keep and perform all and singular the foregoing covenants and agreements, and shall pay any judgment for actual or exemplary damages which may be recovered against him in any court of competent jurisdiction and all fines and costs that may be imposed upon him for violations of this act, then this obligation shall be void and of no effect, otherwise the same shall be in full force and effect.

Signed and sealed in the presence of

.....

[L. S.]
 [L. S.]
 [L. S.]

.....

There shall also be annexed to each bond required by this act an affidavit of each surety thereto, which affidavit shall state that the affiant is not engaged either as principal, agent or servant in the sale of any liquors mentioned in this act, that he is not a surety upon any other bond required by the provisions of this act, that he is a male resident and freeholder of the township, village, or city in which such bond is offered, and that he does not hold any elective or appointive office in any county, city, village, or township of this State, and that he is worth in unencumbered real estate, situated within the county in which such business is proposed to be carried on a sum equal to the amount of the bond over and above all indebtedness and exemptions from sale on executions, and if, in the judgment of the township board or the boards of trustees or common council of the village or city in which said business is proposed to be carried on, said sureties, or either of them, are not worth the full sum mentioned in said bond over and above all their liabilities and exemptions, they, the said township board or board of trustees or common council of the village or city, as the case may be, shall refuse to endorse said bond with their approval. Such bond shall not be received by the county treasurer unless the approval thereof by the township board or the board of trustees or common council of the village or city shall be duly certified thereon in writing, by the clerk or recording officer of such township or city, and the principal shall not be allowed to sell spirituous, malt, brewed, fermented, or vinous liquors in any other building or place than that specified in said bond, without giving notice and executing another bond in the manner above prescribed. A new bond shall be required by the county treasurer with whom such bond was originally filed, in case of the death, insolvency, or removal of either of the sureties, and in any other contingency that he shall determine requires it. And it shall not be lawful for any person to sell any of the liquors mentioned in sections one and two of this act, after being notified by the county treasurer to procure a new bond, until said bond shall have been executed, approved by the proper board, and filed with the county treasurer; and any sale made in violation of this section shall be a misdemeanor, and shall be punished as provided in section six of this act; and in all actions brought upon said bond for damages by reason of the violation of any of the provisions thereof, the plaintiff in such action shall in the event of recovering a judgment of any amount also recover his costs of suit. The notice herein provided for shall be served and returned by the sheriff of the county, who shall receive from the county for such services the same fees as are allowed by law for the service of original writs from the circuit court.

SEC. 8. One-half of all moneys paid to any county treasurer under the provisions of this act, after deducting his fees as herein provided, shall be by him placed to the credit of the township, village or city from which the same was collected, and shall be by such county treasurer paid over, on demand, to the treasurer of such township, village or city to be applied as other general funds. The remainder of all moneys so received by any county treasurer shall be by him placed to the credit of the general fund of the county. The county treasurer shall receive and retain one per cent on all moneys paid to him, as a recompense in full for all his services rendered under the provisions of this act: *Provided*, That the amount as fees under the provisions of this act by any county treasurer, shall not exceed the sum of five hundred dollars.

SEC. 9. It shall be the duty of every county treasurer, sheriff, deputy sheriff, police officer or other person having notice or knowledge of any violation

of the provisions of this act, to immediately notify the prosecuting attorney of the county thereof, and it shall be the duty of such prosecuting attorney forthwith to prosecute every person violating any of the provisions of this act, and for each and every violation thereof.

SEC. 10. It shall be the duty of each and every county treasurer, at the end of each and every month to make a full and complete report, under oath, containing the name of each and every person or persons in his county paying a tax during said month, under the provisions of this act, stating therein the residence of such person or persons, the nature of the business in which such persons are engaged, the place of doing business, the amount of tax paid and the date of payment of the same, and file such statement with the clerk of his county; and such county treasurer shall also, on the first Monday of December, in each year, make a full and complete report of all the facts, as shown by such reports, and return the same to the auditor general, and publish the same in some newspaper published in his county, if there be one, and in two if there be two. All blanks required to carry into effect the provisions of this act shall be prepared and furnished by the auditor general to the county treasurers, and by them to the township, village and city officers.

SEC. 11. In case any assessor, county treasurer, prosecuting attorney or other officer whose duty it is to see that the provisions of this act are faithfully enforced, shall wilfully neglect or refuse to perform his duty under the provisions of this act, he shall be liable to a penalty of one hundred dollars for each and every offense, and the Governor may, in case of such neglect or refusal, appoint such other person or persons to perform the duties prescribed by this act, who shall, upon being so appointed, have like powers and duties, and receive the same fees, under this act, as such assessor, treasurer, prosecuting attorney or other officer, as the case may be; and in case of the appointment of any person in place of the prosecuting attorney, to prosecute for violation of this act, in any county, the board of supervisors shall allow and pay to such prosecutor a reasonable compensation for all services performed by him as such prosecutor.

SEC. 12. It shall not be lawful for any person except a druggist, who shall be governed by section 2 of this act, to sell, furnish to, or give any spirituous, malt, brewed, fermented, or vinous liquors, or any beverage, liquor, or liquids containing any spirituous, malt, brewed, fermented, or vinous liquor to any minor, to any intoxicated person, nor to any person in the habit of getting intoxicated, nor to any Indian, nor any person of Indian descent, nor to any person whose husband, wife, parent, child, guardian or employer, or the supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or the superintendent of the poor of the county where such person shall reside or temporarily remain, shall forbid such selling, furnishing, or giving. The fact of selling, giving, or furnishing any liquids in any place where intoxicating liquors are sold, or kept for sale, to any minor, or to any intoxicated person, or to any person in the habit of getting intoxicated, or to any Indian, or person of Indian descent, or to any person whose husband, wife, parent, child, guardian, employer, or the supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county where such person shall reside or temporarily remain, shall be forbidden the selling, furnishing, or giving of the same, shall be a *prima facie* presumption of an intent, on the part of the person so selling, giving, or furnishing such liquor, to violate the law.

SEC. 13. It shall not be lawful for any person to keep any billiard, pool, or card table, or to allow the same to be kept, in any room where any of the liquors mentioned in this act are sold, or kept for sale, nor in any adjoining room in the same building. Nor in any room connected by hallway or intermediate room or rooms, opening into any room where such liquors are sold or kept for sale.

SEC. 14. It shall not be lawful for any person to sell, offer to sell, furnish, give or have in his possession any of the liquors mentioned in this act, in any concert hall, variety show, theater, or other place of amusement, nor in any ooms in any building opening into where any such concert hall, variety show, heater, or other place of amusement may be.

SEC. 15. All saloons, restaurants, bars, in taverns or elsewhere, and all other places, except drug stores, where any of the liquors mentioned in this act are sold, or kept for sale, either at wholesale or retail, shall be closed on the first day of the week, commonly called Sunday, on all election days, on all legal holidays, and until seven o'clock of the following morning, and on each week-day night from and after the hour of nine o'clock until seven o'clock of the morning of the succeeding day. The word "closed," in this section shall be construed to apply to the back door or other entrance as well as to the front door. And in prosecutions under this section it shall not be necessary to prove that any liquor was sold.

SEC. 16. Whenever complaint shall be made by any person on oath before any justice of the peace in any county, or any municipal or police court, of any village or city, that any person is found intoxicated or has been intoxicated in any hotel, store, public building, street, alley, highway, or other public place, it shall be the duty of such justice, municipal or police court to issue a subpoena to compel the attendance of such person so found intoxicated or who has been intoxicated, as aforesaid, to appear before the justice or court issuing the same, to testify in regard to the person or persons of whom, and the time when, and the place where, and the manner in which the liquor producing his intoxication was procured, and if such person, when subpoenaed, shall neglect or refuse to obey such writ, the said justice or court who issued the same shall have the same power and authority to compel the attendance of the person so subpoenaed and to enforce obedience to such writ as in other civil cases. Whenever the person so subpoenaed shall appear before the justice, municipal or police court, to testify as aforesaid, he shall be required to answer on oath the following questions, to-wit: When, where and of whom did you procure, obtain, or receive the liquor or beverage, the drinking or using of which has been the cause of the intoxication mentioned in the complaint? And if such person shall refuse to answer fully and fairly such questions on oath, he shall be punished and dealt with in the same manner as for a contempt of court as in other cases. If it shall appear from the testimony of such person that any of the offenses specified in this act have been committed in this State, such justice or court, before whom such testimony is given, shall make a true record of the same and cause it to be subscribed by such witness; and the said testimony or answers, when subscribed as aforesaid, shall be deemed and taken to be sufficient complaint to authorize the issuing of a warrant to arrest any person or persons who may appear from said complaint to be guilty of having violated any of the provisions of this act. Any person arrested on a warrant issued pursuant to the provisions of this section shall be brought before the justice or court issuing the same, and all subsequent

proceedings in such suit or prosecution shall be governed by and subject to the provisions of this act and the rules of law applicable thereto: *Provided*, That the person so testifying under the provisions of this section shall not be held or prosecuted for the intoxication concerning which such testimony shall be given.

Sec. 17. Every person who shall by himself, or by any clerk, servant, agent, or employe, sell, give, or furnish, or cause to be sold, given, or furnished, any intoxicating, spirituous, malt, brewed or fermented liquors, cider, or wine, or any liquor or beverage, any part of which is intoxicating, spirituous, malt, brewed or fermented, to any minor under the age of 18 years, and every person who shall himself, or by his clerk, servant, agent or employe, permit or allow any such liquor, cider, wine or beverage to be sold, furnished or given to, or to be drank by any such minor, in his or her store, shop, saloon, restaurant, bar-room, or place of business where such liquors or beverages are kept, furnished or sold, shall be liable for both actual and exemplary damages therefor, to the father, mother, guardian or master, or any person standing in place of a parent to such minor, in such sum, not less than fifty dollars in each case, as the court or jury shall determine; except a druggist upon the written request of a parent, guardian or master of such minor, or upon the written prescription and request of a regular practicing physician: *Provided*, That the physician making such prescription shall not be the druggist himself nor a member of the firm of druggists selling such liquors, nor an employe of such druggist or firm. But if any druggist shall furnish, sell or give to any such minor any such liquor more than once upon the same written prescription or written request, he shall be liable in damages as aforesaid, and to the extent aforesaid in each case.

Sec. 18. The damage in all cases provided for in this act, together with costs of suit, shall be recoverable in action of trespass on the case before any court of competent jurisdiction. And in any case where parents shall be entitled to such damages either the father or the mother may sue alone therefor. But recovery by one of said parties shall be a bar to a suit brought by the other.

Sec. 19. It shall be the duty of village and city marshals, and, in cities having no marshal, of the chief of police, or some subordinate appointed by such chief, to visit, at least once in each week, all places within their respective jurisdictions where any of said liquors are sold or kept, to learn if any of the provisions of this act have been or are being violated, and whenever any of the officers above mentioned shall learn of a violation of any of the provisions of this act, it shall be his duty to enter complaint before some justice of the peace of the proper township or city, or police justice, as the case may be, and to do whatever shall be necessary to bring the offender to justice.

Sec. 20. Whenever complaint shall be made to any justice of the peace, or police justice, of any violation of any of the provisions of this act, he shall not require security for costs to be given, but shall take the complaint and examination of the witnesses as in other cases, and if the offense appears to have been committed, he shall issue his warrant for the arrest of the offender, and shall notify the prosecuting attorney, whose duty it shall be to appear and prosecute the same.

Sec. 21. All persons engaged in the business of selling or keeping for sale any of the liquors mentioned in this act, whether as owner, or as clerk, agent or servant, or employe, shall be equally liable as principals for any violation of any of the provisions of this act, and any person or principal shall be

liable for the acts of his clerk, servant, agent or employé, for any violation of the provisions of this act.

SEC. 22. If any person shall adulterate any spirituous or alcoholic liquors used or intended for drink, by mixing the same in the manufacture or preparation thereof, or by process of rectifying, or otherwise, with any deleterious drug, substance, or liquid, which is poisonous or injurious to health, except as hereinafter provided, or if any person shall sell, or offer to sell, any wine, or spiritous, or alcoholic liquors, or shall import into this State any wine or spirituous or intoxicating liquors, and sell or offer for sale such liquors, knowing the same to be adulterated, or shall sell or offer to sell any spirituous or intoxicating liquors from any barrel, cask, or other vessel containing the same, and not branded as hereinafter provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five hundred dollars, nor less than fifty dollars, and shall be imprisoned in the jail of the county not more than sixty nor less than ten days.

SEC. 23. It shall be the duty of every person or persons engaged in the manufacture and sale of malt, spirituous or alcoholic liquors, or in rectifying or preparing the same in any way, to brand on each barrel, cask, or other vessel containing the same, the name or names of the person, company, or firm manufacturing, rectifying, or preparing the same, and also these words, "Pure, and without drugs or poison."

SEC. 24. No person shall sell at wholesale or retail any ale, rum, wine, or other malt or spirituous liquors from any barrel, cask, or vessel, unless the same shall have been branded and marked as aforesaid.

SEC. 25. If any barrel, cask or other vessel containing any drugged or poisoned liquor shall be found in the possession of any wholesale or retail dealer in liquors, or in the possession of any person holding himself out as such a dealer, it shall be deemed *prima facie* evidence of the violation of the provisions of this act.

SEC. 26. Any person who shall put into any barrel, cask, or other vessel, branded or marked, as required by this act, any liquors drugged or adulterated as aforesaid, or who shall sell or offer for sale any such liquors, for the purpose and with the intent of deceiving any person in the sale thereof, shall be deemed guilty of an attempt to practice a fraud, and upon conviction thereof shall be imprisoned in the State prison not more than one year.

SEC. 27. The provisions of this act shall not be so construed as to prevent druggists, physicians, and persons engaged in the mechanical arts from adulterating liquors for medical and mechanical purposes.

SEC. 28. It shall not be lawful to sell or keep for sale any liquors mentioned in this act in any basement, but only in the front room on the first or ground floor of a building, and the view from the sidewalk, street, or road in front of said building, of the bar or place in said room where said liquors are sold or kept for sale, shall not be obstructed by any curtain or screen, or in any other way.

SEC. 29. Wherever in this act the phrase "and imprisonment" is used, it shall not be construed to mean "or imprisonment," but in case of conviction both the fine and imprisonment provided for shall be inflicted.

On motion of Mr. Simpson,

The House adjourned.

Lansing, Friday, May 6, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Roberts.

Roll called: quorum present.

Absent without leave: Mr. Harper.

On motion of Mr. Houk,

Leave of absence was granted to Mr. Harper until Tuesday next.

On motion of Mr. Cole,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Baumgardner,

Leave of absence was granted to himself until Tuesday noon next.

On motion of Mr. Vroman,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Van Orthwick,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Breen,

Leave of absence was granted to Mr. Hoobler until Tuesday next.

Mr. Hosford offered the following:

Resolved, That hereafter all petitions be passed to the clerk without reading, and by him noted on the journal in the usual manner, except such petitions as it is desired to have spread at length on the journal;

Which was adopted.

PRESENTATION OF PETITIONS.

No. 1198. By Mr. McMillan: Petition of citizens of Rockford against the taxation of druggists as liquor dealers.

Referred to the committee on liquor traffic.

No. 1199. By Mr. Chamberlain: Petition of citizens of St. Ignace on the same subject.

Same reference.

No. 1200. By Mr. Simpson: Petition of W. E. Clark and 47 others asking for county local option, increased taxation and increased bonds in reference to the liquor traffic.

Referred to the committee on liquor traffic.

REPORTS OF STANDING COMMITTEES.

By the committee on printing:

The committee on printing, to whom was referred

House bill No. 845, entitled

A bill to amend sec. 17 of act 175 of the session laws of 1851, entitled "An act to provide for general and special elections," as amended by act 353 of the session laws of 1865, being compiler's section 153 of Howell's annotated statutes of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend sec. 15 of act No. 175 of the session laws of 1851, entitled "An act to provide for general and special elections," as amended by act 353

of the session laws of 1865, being section 151 of Howell's annotated statutes of Michigan,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

M. T. COLE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Cole,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on liquor traffic:

The committee on liquor traffic, to whom was referred

House bill No. 546, entitled

A bill to define the duties of city and village marshals, constables, sheriffs and other officers relative to making complaints for violations of the laws regulating or prohibiting the sale of intoxicating liquors and to create a penalty for neglect of such duties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY WATSON, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on liquor traffic :

The committee on liquor traffic, to whom was referred

House bill No. 679, entitled

A bill to restrain drunkenness and tippling in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY WATSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. H. Watson,

The bill was laid on the table.

By the committee on supplies and expenditures:

The committee on supplies and expenditures to whom was referred the accompanying bill of Mr. Humphrey for washing towels, amounting to \$16.25,

Lansing, May 5, 1887.

House of Representatives Dr. to Mr. Humphrey, }

For washing 325 towels at 5c per towel..... \$16.25

I certify that the above account is correct.

C. A. LEE, *Janitor*.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, recommending that

it be allowed and ask to be discharged from the further consideration of the subject.

J. A. DAMON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Damon,

The bill was allowed and ordered paid.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }
Lansing, May 4, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following concurrent resolution :

Resolved by the House (the Senate concurring), that a special joint committee consisting of two of the House and one of the Senate be appointed to investigate the charges and rumors against the management of the State public school and against the character of the superintendent and others in charge, with full authority in the premises to hold sessions, at the school or elsewhere, at such times as shall best suit their convenience, to enforce the attendance of witnesses, administer oaths, taking n full the testimony with clerk and stenographer, as to them may seem desirable, and to perform every act of examination by means of the books and records of the institution, or otherwise, as to them shall seem necessary to a full understanding of the facts in the case, and report their doings to the Legislature at their earliest convenience.

In the adoption of which the Senate has non-concurred.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The message was laid upon the table.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, May 7, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

Resolved by the Senate (the House concurring), That the Secretary of State be required to forthwith furnish to the Senate and House a list of all persons to whom Michigan Manuals, of 1887, have been furnished from his office, free or otherwise and by what authority, also the number of Manuals now on hand and the number sold for cash,

Which has been adopted by the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The question being on concurring in the adoption of the resolution,

The resolution was adopted.

The Speaker also announced the following :

SENATE CHAMBER,
Lansing, May 5, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No 393 (file No. 207), entitled

A bill to amend sec. 1226 of Howell's annotated statutes relative to taxes on mining and smelting companies.

2. Senate bill No. 394 (file No. 208), entitled

A bill to amend section 1225 of Howell's annotated statutes relative to the paying of specific taxes to counties in the Upper Peninsula,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The two named bills were read a first and second time by their titles and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 5, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 395, entitled

A bill to provide for the election of a collector of taxes for the several wards of the city of Grand Rapids, and to prescribe the duties of such collector.

And to inform the House that the Senate has amended the title to the bill as follows:

By striking out the words "a collector" and inserting in lieu thereof the word "collector," and making the word "collector" at the end of the title, "collectors."

In the passage of which, with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

GENERAL ORDER.

On motion of Mr. Damon,

The House went into committee of the whole on the general order.

Whereupon the Speaker called Mr. Snow to the chair.

After some time was spent therein, the committee arose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 660 (file No. 367), entitled

A bill to provide for the appointment of a State marshal and to prescribe his powers and duties,

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

BYRON A. SNOW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Damon,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Damon,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Jones,	Mr. Rounsville,
Allen,	Damon,	Kelley,	Rumsey,
Anderson,	Diekema,	Kirby,	Simpson,
Ashton,	Dillon,	Lincoln,	Spencer,
Baker, W. A.,	Eldred,	Makelim,	Thompson,
Baldwin,	Engleman,	McCormick,	Tindall,
Bardwell,	Goodrich,	McMillan,	VanOrthwick,
Bates,	Green,	O'Keefe,	Watson, F. H.,
Baumgardner,	Grenell,	Oviatt,	Watson, H.,
Beecher,	Haskin,	Perkins,	Webber,
Breen,	Hill,	Pettit,	Wellman,
Brock,	Holt,	Powers,	Williams, W. W.
Burr,	Hoobler,	Reader,	Wilson,
Case,	Houk,	Robinson, R.,	Wood,
Chamberlain,	Hunt,	Rogers,	Speaker,
Chapman,			

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NAYS.

Mr. Baker, S.,	Mr. Killean,	Mr. Rentz,	Mr. Stuart,
Bettinger,	Manly,	Robinson, J. W.	Vroman,
Crocker,	McKie,	Snow,	Washburn,
Hosford,	Preston,		

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Title agreed to.

On motion of Mr. Damon,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Grenell,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

MOTIONS AND RESOLUTIONS.

Mr. Hoobler moved to take from the table

House bill No. 650 entitled

A bill to authorize the townships of Clam Union in Missaukee county to borrow money to be used in public improvements in and for the benefit of said township, and to issue bonds therefor,

Which motion prevailed.

On motion of Mr. Hoobler,

The bill was referred to the committee on local taxation.

Mr. Cross moved to discharge the committee of the whole from the further consideration of

House bill No. 739 (file No. 223), entitled

A bill to revise the laws providing for the incorporation of corporative and mutual benefit associations, and to define the powers and duties and regulate the transaction of the business of all such corporations and associations doing business within this State,

Which motion prevailed.

Mr. Cross moved that the bill be made the special order for Thursday, May 12, at 2:15 P. M.

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Perkins moved to discharge the committee of the whole from the further consideration of

House bill No. 852 (file No. 376), entitled

A bill to amend sections one and five of act number two hundred and eighty of the local acts of eighteen hundred and seventy-nine, entitled An act to incorporate the village of Petoskey, approved February 27, 1879 and to add a new section to stand as section eight.

Which motion prevailed.

On motion of Mr. Perkins,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. Manly,	Mr. Simpson,
Allen,	Eldred,	McCormick,	Snow,
Ashton,	Engleman,	McKie,	Spencer,
Baker, W. A.	Goodrich,	McMillan,	Stuart,
Bardwell,	Green,	Mulvey,	Thompson,
Bates,	Haskin,	Ogg,	Tindall,
Beecher,	Hill,	Oviatt,	VanOrthwick,
Bettinger,	Hoaglin,	Pardee,	Vickary,
Bentley,	Holt,	Perkins,	Vroman,
Breen,	Hoobler,	Pettit,	Washburn,
Brock,	Hosford,	Powers,	Watson, H.,
Cannon,	Houk,	Preston,	Watts,
Case,	Jones,	Reader,	Webber,
Chapman,	Kelley,	Rentz,	Wellman,
Cross,	Killeen,	Rogers,	Williams, W. W.
Damon,	Kirby,	Rounsville,	Wilson,
Dillon,	Linton,	Rumsey,	Speaker, 69
Douglass,			

NAYS.

Mr. Wood,

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Title agreed to.

On motion of Mr. Perkins.

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Hill moved that

House bill No. 38 (file No. 174 , entitled

A bill to abolish the board of corrections and charities,

Be made the special order for Wednesday, May 11, at 2:15 o'clock P M.

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Brock moved that a respectful message be sent to the Governor requesting the return to the House of

House bill No. 58 (file No. 123), entitled

An act to provide for laying out and establishing a State road in Bay county, to be known as "the Bay City and Au Sable State road extension,"

Also,

House bill No. 61 (file No. 64), entitled

A bill to amend the title of act numbered 397 of the local acts of the Legislature of the State of Michigan for the year 1885, and to amend section 2 of said act, being an act entitled "An act to authorize the county of Bay to buy and maintain a bridge across the Saginaw river,"

Pending which,

The Speaker announced that the hour had arrived for the

SPECIAL ORDER.

On motion of Mr. Bates,

The House went into committee of the whole, on the special order,

Whereupon the Speaker called Mr. Chapman to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 504 (file No. 371), entitled

A bill to revise, consolidate and amend the liquor laws of this State,

But not having gone through therewith, have directed their chairman to report that fact to the House and ask leave to sit again, and also ask that a substitute for the bill offered by Mr. McCormick be printed in the journal.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McCormick,

Leave was granted to the committee to sit again for the consideration of the bill.

On motion of Mr. McCormick,

The House concurred in the recommendation of the committee relative to the printing of a substitute for the bill offered by him, and the same was ordered printed in the journal.

The substitute bill is as follows :

A substitute for

A bill to revise, consolidate, and amend the liquor laws of this State.

SECTION 1. *The People of the State of Michigan enact*, That in all townships, cities, and villages of this State there shall be paid annually the following tax upon the business of manufacturing, selling, or keeping for sale, by all persons whose business, in whole or in part, consists in selling, or keeping for sale, or manufacturing distilled or malt liquors, as follows : Upon the business of selling or offering for sale spirituous or intoxicating liquors or mixed liquors, by retail, or any mixture or compound, excepting proprietary patent medicines, which in whole or in part consists of spirituous or intoxicating liquors, the sum of three hundred dollars per annum ; upon the business of selling or offering for sale by retail any malt, brewed or fermented liquors, two hundred dollars per annum ; upon the business of selling brewed or malt liquors at wholesale, or at wholesale and retail, two hundred dollars per annum ; upon the business of selling spirituous or intoxicating liquors at wholesale, or at wholesale and retail, five hundred dollars per annum ; upon the business of manufacturing brewed or malt liquors for sale, if the quantity manufactured be less than fifteen hundred barrels, sixty-five dollars per annum, and twenty-five dollars upon each additional thousand barrels or part thereof ; upon the business of manufacturing for sale spirituous or intoxicating liquors, five hundred dollars per annum. No person paying a tax on spiritous or intoxicating liquors under this act shall be liable to pay any tax on the sale of malt, brewed or fermented liquors. No person paying a manufacturer's tax on brewed or malt liquors under this act shall be liable to pay a wholesale dealer's tax on the same.

SEC. 2. Every person engaged in the sale of any spirituous, malt, brewed, fermented or vinous liquors, except druggists, shall, before commencing such business, and on or before the first day of May, in each and every year thereafter, make, execute, and deliver to the county treasurer of the county in which he is carrying on such business, a bond, the sufficiency of which shall be determined by the township board of the township, or the board of trustees, or the common council of the village or city in which such business is proposed to be carried on, to the people of the State of Michigan, in the sum of not less than three thousand dollars nor more than six thousand dollars, with two or more sufficient sureties, who shall be *male* residents and freeholders of the *township village or city* in which such business is proposed to be carried on, *neither of whom shall hold any elective or appointive office in any county, city, village or township of this State*, each of whom shall justify in a sum equal to the amount of the bond, over and above all indebtedness, and all exemptions from sale on execution, and all liability on other similar bonds, which bond shall be substantially in the following form : Know all men by these presents, that we,, as principal, and and, as sureties, are held and firmly bound unto the people of the State of Michigan, in the sum of dollars, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators firmly by these presents. Sealed with our seals, and dated this day of A. D. 18....

WHEREAS, The above named principal proposes to cary on the business of (and describing the place of business), at, in the county of

AND WHEREAS, The said principal hath covenanted and agreed, and doth hereby covenant and agree as follows, to-wit : That he will not directly or indirectly, by himself, his clerk, agent or servant, at any time, sell, furnish, give, or deliver any spirituous, malt, brewed, fermented, or vinous liquor, or any mixed liquor or any mixture or compound, a part of which is spirituous, malt, brewed, fermented or vinous liquor, to a minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the

habit of getting intoxicated, nor to any Indian, or any person of Indian descent, nor to any person whose husband, wife, parent child, guardian, or employer shall forbid the same, and that he will pay all damages, actual and exemplary, that may be adjudged to any person for injuries inflicted upon them, either in person or property, or means of support, by reason of his selling, furnishing, giving, or delivering any such liquors.

Now the condition of this obligation is such that if said principal shall well and truly keep and perform all and singular the foregoing covenants and agreements, and shall pay any judgment for actual or exemplary damages which may be recovered against him in any court of competent jurisdiction, then this obligation shall be void and of no effect, otherwise the same shall be in full force and effect.

Signed and sealed in the presence of

[L. S.] -----

[L. S.] -----

[L. S.] -----

There shall also be annexed to each bond required by this act an affidavit of each surety thereto, which affidavit shall state that the affiant is *a male resident and freeholder of the township, village, or city in which such bond is offered, and that he is worth in real estate situated within the county in which such business is proposed to be carried on* a sum equal to the amount of the bond over and above all indebtedness and exemptions from sale on executions and all liability on other similar bonds, and if, in the judgment of the township board or the boards of trustees or common council of the village or city in which said business is proposed to be carried on, said sureties, or either of them, are not worth the full sum mentioned in said bond, over and above their liabilities, and exemptions and liabilities on other similar bonds, they, the said township board or board of trustees or common council of the village or city, as the case may be, shall refuse to indorse said bond with their approval. Such bond shall not be received unless the approval thereof by the township board or the board of trustees or common council of the village or city shall be duly certified thereon in writing, and the principal shall not be allowed to sell spirituous, malt, brewed, fermented, or vinous liquors in any other building or place than that specified in said bond, without giving notice and executing another bond in the manner above subscribed. Whenever any condition of said bond shall be broken, a new bond shall be required by the county treasurer with whom such bond was originally filed, and also in case of death, insolvency, or removal of either of the sureties, and in any other contingency that he shall determine requires it. And it shall not be lawful for any person except druggists to sell any of the liquors mentioned in sections one and two of this act, after being notified by the county treasurer to procure a new bond, until said bond shall have been executed, approved by the proper board, and filed with the county treasurer; and any sale made in violation of this section shall be deemed a misdemeanor, and shall be punished as provided in section six of this act; and in all actions brought upon said bond for damages by reason of the violation of any of the provisions thereof, the plaintiff in such action shall in the event of recovering a judgment of any amount also recover his costs of suit.

SEC. 3. Retail dealers of spirituous or intoxicating liquors, and brewed, malt, and fermented liquors, shall be held and deemed to include all persons who sell by the drink, and in quantities of five gallons or less, or one dozen quart bottles or less, at any one time, to any person or persons. Wholesale dealers shall be held and deemed to mean

and include all persons who sell or offer for sale such liquors and beverages in quantities of more than five gallons, or more than one dozen quart bottles, at any one time, to any person or persons. No tax imposed under this act shall be required from any person for selling any wine or cider made from fruits grown or gathered in this State, unless such wine or cider be sold by the drink as other beverages are. The provisions of this act shall not apply to druggists who sell liquors for chemical, scientific, medicinal, mechanical, or sacramental purposes only, and in strict compliance with law :

It shall not be lawful for any druggist, nor for any person whose business consists in whole or in part of the sale of drugs and medicines, directly or indirectly, by himself, his clerk, agent or servant, at any time, to sell, furnish, give, or deliver, any spirituous, malt, brewed, fermented, or vinous liquor, or any mixed liquor, a part of which is spirituous, malt, brewed, fermented, or vinous, to a minor, except for medicinal or mechanical purposes, on a written order of the parent or guardian of such minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the habit of getting intoxicated, nor to any Indian or any person of Indian descent, nor to any person whose husband, wife, parent, child, guardian, or employer, *supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county in which such person shall reside or temporarily remain* shall forbid the same, nor to any other person to be used as a beverage, *nor to any person to be drank on the premises, nor to be mixed and drank with any beverage drawn from a soda fountain or other apparatus or device for dispensing areated or other beverages,* but such druggist shall be allowed to sell said liquors for medicinal, mechanical and sacramental purposes only, and subject to the following restrictions and conditions : Every such dealer in drugs and medicines shall procure and keep a suitable blank book in which shall be recorded by said druggist, his clerk or employé the names of all persons applying for such liquor for any of these lawful purposes, the date of each sale, the amount and kind of liquor sold to each person, and the purpose to which the same was to be applied, as stated by the purchaser, which book shall be kept in the store of said druggist, and shall be open to all persons for examination during all business hours ; and the failure to keep a record of every such sale, or the delivery of liquor for any purpose other than above named, shall subject such druggist to the penalties provided for in this section.

Provided, That such druggist shall, on or before the first Monday in May in each year, or before commencing business, execute and file with the county treasurer of the county in which he is carrying on such business, a bond, the sufficiency of which shall be determined by the township board of the township, or the board of trustees, or the common council of the village or city in which said business is proposed to be carried on, to the People of the State of Michigan, in the sum of two thousand dollars with two or more sufficient sureties, who shall be freeholders and residents of the county in which such business is proposed to be carried on, each of whom shall justify in a sum equal to the amount of the bond, over and above all indebtedness, and all exemptions from sale on execution, and all liability on other similar bonds, which bond shall be substantially in the following form ;

Know all men by these presents that we.....as
principal and.....and.....as sureties,
are held and firmly bound unto the people of the State of Michigan in the sum of two thousand dollars, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators firmly by these presents. Sealed with our seals and dated thisday of18.....

WHEREAS, The above named principal proposes to carry on the business of a druggist at _____, in the county of _____, and State of Michigan ;

AND WHEREAS, The said principal hath covenanted and agreed, and doth hereby covenant and agree as follows, to wit? That he will not directly or indirectly by himself, his clerk, agent, or servant, at any time, sell, furnish give, or deliver any spirituous, malt, brewed, fermented or vinous liquor, or any mixed liquor, a part of which is spirituous, malt, brewed, fermented or vinous, to a minor, except for medicinal or mechanical purposes, on the written order of the parent or guardian of such minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the habit of getting intoxicated, nor to any Indian, or any person of Indian descent, nor to any person whose husband, wife, parent, child, guardian, or employer, supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county in which such person shall reside or temporarily remain, shall forbid such selling, furnishing or giving to as aforesaid, and that he will not sell to any person to be drank on the premises, nor to be mixed and drank with any beverage drawn from a soda fountain or other apparatus or device for dispensing areated or other beverages ; that he will sell such liquors for medicinal, mechanical and sacramental purposes only, and that he will pay all damages, actual and exemplary, that may be adjudged to any person for injuries inflicted upon them, either in person or property, or means of support, by reason of his selling, furnishing, giving or delivering any such liquors.

Now, the condition of this obligation is such that if said principal shall well and truly keep and perform all and singular the foregoing covenants and agreements, and shall pay any judgment for actual or exemplary damages which may be recovered against him in any court of competent jurisdiction, and all fines and costs that may be imposed upon him for violations of this act, then this obligation shall be void and of no effect, otherwise the same shall be in full force and effect.

Signed and sealed in the presence of

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[L. S.]

Whenever any druggist shall violate any provisions of this section, he shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than one hundred nor more than five hundred dollars and costs of prosecution, and imprisonment in the county jail not less than ninety days nor more than one year; for a second violation of any of the provisions of this act such druggist shall, in addition to paying the penalty hereinbefore provided for, be debarred from selling in this State any of the liquors hereinbefore mentioned for a period of five years from and after the date of such conviction : *Provided*, That every drug clerk shall, in addition, be responsible for violating the provisions of this act, for his personal act or negligence, or violation subject to the same penalty as proprietors.

SEC. 4. Every person engaged in, or intending to engage in any business named in section one of this act, and requiring the payment of any tax mentioned in said section one, shall on or before the first Monday in May in each year, make and file with the county treasurer, in the county where it is proposed to carry on such business, a statement in writing and on oath, showing the name and residence of such person, the ward, village

or township in which it is proposed to carry on such sale, or manufacture, and the nature of the business which such person is engaged in, or is intending to engage in; and shall, on or before the first Monday in May in each year, pay to the said county treasurer, in advance, the taxes required by said section one for such business for the year commencing on said first Monday of May, and tending on the first Monday of May next thereafter.

SEC. 5. Any person engaged in any such business after the first Monday in May in in each year shall, before commencing such business, make and file the like statement on oath, as is provided for in section three of this act, and pay in advance to said county treasurer, a *pro rata* portion of the yearly tax on such business, as provided in section one, for the remained of the year ending on the first Monday of May next ensuing; and in computing the time of such fractional part of a year for which a tax is demanded, the tax shall commence on the first Monday of that month in which said business shall commence. But no tax shall be less than one half of the yearly tax.

SEC. 6. On receiving the tax provided for in this act, the county treasurer shall give a receipt for the money so paid, to the person or persons of whom the same shall be received, in which receipt the name of the person or persons paying the tax shall be named, the amount of the tax, and the time for which it was paid, the city, village or township in which the business is to be conducted, and the kind of business for or on account of which the tax was paid; and also a notice printed on full size printer's card board, and in as large letters as practicable, which notice shall contain a statement of what tax has been paid by the holder of said notice and the penalty for selling liquids in violation of the provisions of this act, and that ten dollar costs will be paid to the person making complaint upon the conviction of the offender, and that complaint may be made to any justice of the peace or police justice, and before commencing or doing any business for the time for which such tax is paid, and the receipt is given, the same shall be posted up, and at all times displayed in a conspicuous place in the room or place where the sale of the liquors or beverages named in this act, and for which the tax was paid, is carried on, so that such receipt and notice shall be displayed in a conspicuous manner to all persons visiting or frequenting such room or place; and any person or persons who shall carry on any business or sell any liquors or beverages, for which a tax is required to be paid by this act, without having such receipt and notice posted up and displayed at all times in the place where such business or sale is or are carried on, shall be deemed guilty of a misdemeanor, and shall be subject to the same fine and punishment as is provided in this act for the neglect or refusal to pay the tax required by this act. And it shall be the duty of the auditor general to prepare printed blank receipts and notices conforming to the provisions of this act, and to furnish the same in proper quantities to the several county treasurers of the State, and no county treasurer shall issue any such receipt or notice until the tax specified herein shall be paid in full.

SEC. 7. If any person or persons shall engage or be engaged in any business requiring the payment of a tax under section one of this act, without having paid in full the tax required by this act, and without having the receipt and notice for such tax posted up as required by this act, or shall in any manner violate any of the provisions of this act, such person or persons shall be deemed guilty of a misdemeanor. and, upon conviction thereof, shall be punished by a fine of not more than two hundred dollars and cost of prosecution, and by imprisonment in the county jail not less than ten days nor more than ninety days, in the discretion of the court. And in case such fine and costs

shall not have been paid at the time such imprisonment expires, he, the person serving out such sentence, shall be further detained in jail until such fine and costs shall have been fully paid: *Provided*, That in no case shall the whole term of imprisonment exceed ninety days. And any person engaged in any business requiring the payment of a tax under section one of this act, who, after having paid the tax so required, shall be convicted of a violation of any of the provisions of this act, shall forfeit the tax paid by him or them, and be debarred from again engaging in any business requiring the payment of a tax under section one of this act, or from becoming a surety or sureties upon any bond required under section two of this act, during the remainder of the year for which the tax so forfeited was paid. The forfeiture of the tax shall be in addition to the penalty hereinbefore prescribed. Each violation of any of the provisions of this act shall be construed to constitute a separate and complete offense, and for each violation on the same day, or on different days, the person or persons offending shall be liable to the forfeitures and penalties herein provided.

SEC. 8. It shall be the duty of the supervisors or other officers whose duty it is to make assessments in townships, wards, villages, or cities, to report in writing to the county treasurer, within the first five days of each and every month, the names and residence of every person within his township, ward, village or city, violating this act. And such supervisor or other assessing officer shall receive for such services, the sum of two dollars per day while actually and necessarily employed in such business, and mileage at the rate of ten cents per mile for the distance actually and necessarily traveled in going to notify such county treasurer, which fees shall be paid by the township, village, or city for which said services were rendered.

SEC. 9. One-half of all moneys paid to any county treasurer under the provisions of this act, after deducting his fees as herein provided, shall be by him placed to the credit of the general fund of the township, village, or city from which the same was collected, and shall be by such county treasurer paid over, on demand, to the treasurer of such township, village, or city applied as other general funds. The remainder of all moneys so received by any county treasurer shall be by him placed to the credit of the general fund of the county of which he is treasurer, and the said moneys shall be by such county applied as other contingent funds. The county treasurer shall receive and retain one per cent on all moneys paid to him, as a recompense in full for all his services rendered under the provisions of this act.

SEC. 10. It shall be the duty of every county treasurer, sheriff, deputy sheriff, police officer, or other person having notice or knowledge of any violation of the provisions of this act, to immediately notify the prosecuting attorney of the county thereof, and it shall be the duty of such prosecuting attorney forthwith to prosecute every person violating any of the provisions of this act, and for each and every violation thereof.

SEC. 11. It shall be the duty of each and every county treasurer, at the end of each and every month to make a full and complete report, under oath, containing the names of each and every person or persons in his county paying a tax during said month, under the provisions of this act, stating therein the residence of such person or persons, the nature of the business in which such persons are engaged, the place of doing business, the amount of tax paid and the date of payment of the same, and file such statement with the clerk of his county; and such county treasurer shall also, on or before the first day of December, in each year, make a full and complete report of all the facts as shown by said reports, and return the same to the auditor general, and publish the same in some newspaper published in his county, if there be one, and in two if there be two. All blanks required to carry into effect the provisions of this act shall be

prepared and furnished by the auditor general to the county treasurers, and by them to the township, village and city officers.

SEC. 12. In case any assessor, county treasurer, prosecuting attorney or other officer whose duty it is to see that the provisions of this act are faithfully enforced, shall wilfully neglect or refuse to perform his duty under the provisions of this act, he shall be liable to a penalty of one hundred dollars for each and every offense, and the governor may in case of such neglect or refusal, appoint such other person or persons to perform the duties prescribed by this act, who shall, upon being so appointed, have like powers and duties, and receive the same fees, under this act, as such assessor, treasurer, prosecuting attorney or other officer, as the case may be; and in case of the appointment of any person in place of the prosecuting attorney, to prosecute for violation of this act, in any county, the board of supervisors shall allow and pay to such prosecutor a reasonable compensation for all services performed by him as such prosecutor.

SEC. 13. It shall not be lawful for any person, except druggists, to sell, furnish, or give any spirituous, malt, brewed, fermented or vinous liquors, or any beverage, liquor or liquids, containing any spirituous, malt, brewed, fermented, or vinous liquors, without first having executed and delivered to the county treasurer of the county in which such business is proposed to be prosecuted or carried on, the bond required by section two of this act.

SEC. 14. It shall not be lawful for any person (except druggists, who shall be governed by section 3 of this act) to sell, furnish to, or give any spirituous, malt, brewed, fermented, or vinous liquors, or any beverage, liquor, or liquids containing any spirituous, malt, brewed, fermented, or vinous liquor to any minor, to any intoxicated person, nor to any person in the habit of getting intoxicated, nor to any person whose husband, wife, parent, child, guardian, or employer, or *the supervisor of the city or township, or the superintendent of the poor* shall forbid such selling, furnishing, or giving. The fact of selling, giving, or furnishing any of said liquors in *any place where intoxicating liquors are sold, or may be sold, or kept for sale*, to any minor, or to any intoxicated person, or to any person in the habit of getting intoxicated shall be a *prima facie* presumption of an intent, on the part of the person so selling, giving, or furnishing such liquor, to violate the law.

SEC. 15. It shall not be lawful for any person to keep any billiard, pool or card table, or to allow the same to be kept, in any room where any of the liquors mentioned in this act are or may be sold, or kept for sale, nor in any adjoining room in the same building. Nor in any room connected by hallway or intermediate room or rooms, opening into any room where such liquors are or may be sold or kept for sale; and it shall not be lawful for any person to engage in any game of billiards, pool, cards, dice, or any other game of chance in any room where any of the liquors aforesaid are or may be sold or kept for sale, nor in any adjoining room, nor in any room connected by hallway or intermediate room or rooms opening into any room where such liquors are or may be sold or kept for sale.

SEC. 16. It shall not be lawful for any person to sell, offer to sell, furnish, give, or have in his possession any of the liquors mentioned in sections thirteen or fourteen of this act, in any concert hall, variety show, theater, or other place of amusement, nor in any rooms in any building opening into where any such concert hall, variety show, theater, or other place of amusement may be.

SEC. 17. All saloons, restaurants, bars, in taverns or elsewhere, and other places where any of the liquors mentioned in this act are or may be sold, or kept for sale, either at wholesale or retail, shall be closed on the first day of the week, commonly

called Sunday, on all election days, on all legal holidays, and until seven o'clock of the following morning, and on each week day night from and after the hour of nine o'clock until seven o'clock of the morning of the succeeding day. The word "closed," in this section shall be construed to apply to the back door or any other entrance as well as to the front door. And in prosecutions under this section it shall not be necessary to prove that any liquor was sold.

Provided, That in all cities and incorporated villages the common council may by ordinance allow the saloons and other places where said liquor shall be sold to remain open not later than eleven o'clock on any such week day night.

SEC. 18. Whenever complaint shall be made by any person on oath before any justice of the peace in any county, or any municipal or police court, of any village or city, that any person is found intoxicated or has been intoxicated in any hotel, store, public building, street, alley, highway or other place, it shall be the duty of such justice, municipal or police court to issue a subpoena to compel the attendance of such person so found intoxicated or who has been intoxicated, as aforesaid, to appear before the justice or court issuing the same, to testify in regard to the person or persons of whom, and the time when, and the place where, and the manner in which the liquor producing his intoxication was procured; and if such person, when subpoenaed, shall neglect or refuse to obey such writ, the said justice or court who issued the same shall have the same power and authority to compel the attendance of the person so subpoenaed and to enforce obedience to such writ as in other civil cases. Whenever the person so subpoenaed shall appear before the justice, municipal or police court, to testify as aforesaid, he shall be required to answer on oath the following questions, to wit: When, where, and of whom did you procure, obtain, or receive the liquor or beverage, the drinking or using of which has been the cause of the intoxication mentioned in the complaint? And if such person shall refuse to answer fully and fairly such questions on oath, he shall be punished and dealt with in the same manner as for a contempt of court as in other cases. If it shall appear from the testimony of such person that any of the offenses specified in this act have been committed in this State, such justice or court, before whom such testimony is given, shall make a true record of the same and cause it to be subscribed by such witness; and the said testimony or answers, when subscribed as aforesaid, shall be deemed and taken to be sufficient complaint to authorize the issuing of a warrant to arrest any person or persons who may appear from said complaint to be guilty of having violated any of the provisions of this act. Any person arrested on a warrant issued pursuant to the provisions of this section shall be brought before the justice or court issuing the same, and all subsequent proceedings in such suit or prosecution shall be governed by and subject to the provisions of this act and the rules of law applicable thereto: *Provided*, That the person so testifying under the provisions of this section shall not be held or prosecuted for the intoxication concerning which such testimony shall be given.

SEC. 19. Every person who shall by himself, or by any clerk, servant, agent, or employé, sell, give, or furnish, or cause to be sold, given, or furnished, any intoxicating, spirituous, malt, brewed or fermented liquors, cider, or wine, or any liquor or beverage any part of which is intoxicating, spirituous, malt, brewed, or fermented, to any minor under the age of eighteen years, and every person who shall himself, or by his clerk, servant, agent, or employé, permit or allow any such liquor, cider, wine, or beverage to be sold, furnished, or given to, or to be drank by any such minor, in his or her store, shop, saloon, restaurant, bar-room, or place of business where such liquors or beverages are kept, furnished, or sold, shall be liable for both actual and exemplary damages there-

for, to the father, mother, guardian or master, or any person standing in place of a parent to such minor, in such sum, not less than fifty dollars in each case, as the court or jury shall determine; except a druggist upon the written request of a parent, guardian, or master of such minor, or upon the written prescription and request of a regular practicing physician: *Provided*, That the physician making such prescription shall not be the druggist himself, nor a member of the firm of druggists selling such liquors, nor an employé of such druggist or firm. But if any druggist shall furnish, sell, or give to any such minor any such liquor more than once upon the same written prescription or written request, he shall be liable in damages therefor as aforesaid, and to the extent aforesaid in each case.

SEC. 20. The damages in all cases provided for in this act, together with costs of suit, shall be recoverable in action of trespass on the case before any court of competent jurisdiction. And in any case where parents shall be entitled to such damages, either the father or the mother may sue alone therefor. But recovery by one of said parties shall be a bar to a suit brought by the other.

SEC. 21. It shall be the duty of village and city marshals, and, in cities having no marshal, of the chief of police, or some subordinate appointed by such chief, to visit, at least once in each week, all places within their respective jurisdictions where any of said liquors are sold or kept, to learn if any of the provisions of this act have been or are being violated, and whenever any of the officers above mentioned shall learn of a violation of any of the provisions of this act, it shall be his duty to enter complaint before some justice of the peace of the proper township, or police justice, as the case may be, and to do whatever shall be necessary to bring the offender to justice.

SEC. 22. Whenever complaint shall be made to any justice of the peace or police justice, of any violation of any of the provisions of this act, he shall not require security for costs to be given, but shall take the complaint and examination of witnesses as in other cases, and if the offense appears to have been committed, he shall issue his warrant for the arrest of the offender, and shall notify the prosecuting attorney, whose duty it shall be to appear and prosecute the same.

SEC. 23. All persons engaged in the business of selling or keeping for sale any of the liquors mentioned in sections thirteen and fourteen (13 and 14), of this act, whether as owner, or as clerk, agent or servant, shall be equally liable as principals for any violation of any of the provisions of this act, and any person or principal shall be liable for the acts of his agent or clerk for any violation of the provisions of this act.

SEC. 24. It shall not be lawful for any person, by himself, his clerk, or agent, to permit any student in attendance at any public or private institution of learning in this State, or any minor, to play at cards, dice, billiards, or any game of chance, in any part of any building in which spirituous liquors or intoxicating drinks are sold; nor shall it be lawful for any person, by himself, his clerk, or agent, to sell or give to any student in attendance at any public or private institution of learning in the State, or any minor, any spirituous or intoxicating drinks, except when prescribed by a regular physician for medicinal purposes; and any person who shall offend against either of the foregoing provisions of this act, in addition to the penalties now provided by law, shall be deemed to have been guilty of a misdemeanor, and on conviction thereof shall be fined twenty dollars and the costs of prosecution, and in default of payment thereof shall be imprisoned in the county jail for sixty days.

SEC. 25. If any person shall adulterate any spirituous or alcoholic liquors used or intended for drink, by mixing the same in the manufacture or preparation thereof, or by process of rectifying, or otherwise, with any deleterious drug, substance, or liquid,

which is poisonous, or injurious to health, except as hereinafter provided, or if any person shall sell, or offer to sell, any wine or spirituous, or alcoholic liquors, or shall import into this State any wine or spirituous or intoxicating liquors, and sell or offer for sale such liquors, knowing the same to be adulterated, or shall sell or offer to sell any spirituous or intoxicating liquors from any barrel, cask, or other vessel containing the same, and not branded as hereinafter provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five hundred dollars, nor less than fifty dollars, and shall be imprisoned in the jail of the county not more than sixty nor less than ten days.

SEC. 26. It shall be the duty of every person engaged in the manufacture and sale of malt, spirituous, or alcoholic liquors, or in rectifying or preparing the same in any way, to brand on each barrel, cask, or other vessel containing the same, the name or names of the person, company, or firm manufacturing, rectifying, or preparing the same, and also these words, "Pure and without drugs or poison."

SEC. 27. No person shall sell at wholesale or retail any ale, rum, wine, or other malt or spirituous liquors from any barrel, cask, or vessel, unless the same shall have been branded and marked as aforesaid.

SEC. 28. If any barrel, cask or other vessel containing any drugged or poisoned liquor shall be found in the possession of any wholesale or retail dealer in liquors, or in the possession of any person holding himself out as such a dealer, it shall be deemed *prima facie* evidence of the violation of the provisions of this act.

SEC. 29. Any person who shall put into any barrel, cask, or other vessel, branded or marked, as required by this act, any liquors drugged or adulterated as aforesaid, or who shall sell or offer for sale any such liquors, for the purpose and the intent of deceiving any person in the sale thereof, shall be deemed guilty of an attempt to practice a fraud, and upon conviction thereof shall be imprisoned in the State prison not more than one year.

SEC. 30. The provisions of this act shall not be so construed as to prevent druggists, physicians, and persons engaged in the mechanical arts from adulterating liquors for medical and mechanical purposes.

SEC. 31. Prosecutions for a violation of any of the provisions of sections 25, 26, 27, 28, 29 and 30 of this act may be commenced by information in the circuit court of any county, by the prosecuting attorney of the county in which the offense shall be committed, which information shall be filed with the proceedings in any previous examination before any justice of the peace, and the proceedings after the filing of the information or information and proceedings as aforesaid, shall be the same as in other criminal cases.

SEC. 32. Wherever in this act the phrase "and imprisonment" is used, it shall not be construed to mean "or imprisonment," but in case of conviction both the fine and imprisonment provided for shall be inflicted.

On motion of Mr. Perkins,
The House took up

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 852 (file No. 376), entitled

A bill to amend sections one and five of act number two hundred and eighty of the local acts of eighteen hundred and seventy-nine, entitled "An act to incorporate the village of Petoskey, approved February 27, 1879, and to add a new section thereto to stand as section eight,

In the passage of which the Senate has concurred by a majority vote of all

the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The House then took up the order of

REPORTS OF STANDING COMMITTEES.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

House bill No. 802, entitled

A bill to detach certain territory from the township of Greenbush, in the county of Alcona, and organize the same into a separate township to be known as the township of Mikado,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. B. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

Senate bill No. 69 (file No. 131), entitled

A bill to provide for the dissemination of useful information concerning fish culture and the fishery industries of the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

Senate bill No. 344 (file No. 203), entitled

A bill to prevent taking or killing or catching any fish in Kavanaugh Lake in the township of Sylvan, in the county of Washtenaw, with spears, or by shooting them with fire arms or by the use of dynamite explosives,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. Z. PERKINS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

House bill No. 919, entitled

A bill to establish the boundaries of Midland county, and to legalize all acts, proceedings and official records of the locality of the so-called Midland county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to authorize and empower the township board of the township of Maple river, in the county of Emmet, to compromise, settle and discharge a judgment rendered in the circuit court of the county of Emmet, in favor of said township against George W. Green, a defaulting treasurer of said township, and William Kaga, William Longaker and Leroy Sandford, his sureties, for less than the full amount of said judgment,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. B. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chamberlain,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

MOTIONS AND RESOLUTIONS.

Mr. Chamberlain moved to take from the table,

Senate bill No. 30 (file No. 40), entitled

A bill to detach certain territory from the county of Manitou and attach the same to Leelenaw county,

Which motion prevailed.

On motion of Mr. Chamberlain,

The bill was referred to the committee on towns and counties.

Mr. Brock moved to take from the table

House bill No. 482 (file No. 311), entitled

A bill to amend act No. 317 of the session laws of 1883, being an act entitled "An act to organize a public library in West Bay City," by adding a new section thereto numbered section 9, for the purpose of providing a fund for the enlargement and improvement of said public library,

Which motion prevailed.

On motion of Mr. Brock,

The bill was placed on the order of third reading.

On motion of Mr. Brock

The House took up the order of

UNFINISHED BUSINESS.

Being the motion to send a respectful message to the Governor asking the return to the House of

House bill No. 58 (file No. 123), entitled

A bill to provide for laying out and establishing a State road in Bay county to be known as "The Bay City and Au Sable State road extension;"

Also,

House bill No. 61 (file No. 64), entitled

A bill to amend the title of act numbered 179 of the local acts of the Legislature of the State of Michigan for the year 1885, and to amend section 2 of said act, being an act entitled "An act to authorize the county of Bay to buy and maintain or build a bridge across the Saginaw river."

The question being taken,

The motion prevailed.

Mr. Linton offered the following:

Resolved, That a special committee, consisting of Messrs. T. H. Williams, Chamberlain, Bardwell, Brock and Rounsville, be appointed by the Speaker to visit the village of Florence and report upon the Saginaw City charter as now before the House of Representatives.

Which was adopted.

The Speaker announced that the gentlemen mentioned in the resolution would please regard themselves appointed to the duties therein specified.

On motion of Mr. Thompson,

Leave of absence was granted to himself until Thursday next.

On motion of Mr. Kelley,

Leave of absence was granted to himself until Tuesday next,

On motion of Mr. Wood,

Leave of absence was granted to himself until Monday next.

On motion of Mr. W. W. Williams,

The House adjourned.

Lansing, Saturday, May 7, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Beale.

Roll called: quorum present.

Absent without leave: Messrs. Allen, Anderson, Burr, Chapell, Linton, Makelim, O'Keefe, J. W. Robinson, Rogers, Snow, Watts, and Wilson.

On motion of Mr. Cannon,

Leave of absence was granted to Mr. Wilson until Thursday next on account of the death of his father.

On motion of Mr. Holt,

Leave of absence was granted to Mr. Burr until Wednesday next.

On motion of Mr. Tindall,

Leave of absence was granted to Mr. Makelim for the day.

On motion of Mr. Tindall,

Leave of absence was granted to Mr. O'Keefe for the day.

On motion of Mr. F. H. Watson,

Leave of absence was granted to Mr. Chapell until Tuesday next.

On motion of Mr. Green,

Leave of absence was granted to himself indefinitely.

On motion of Mr. T. H. Williams,
Leave of absence was granted to Mr. Watts until Tuesday next.

On motion of Mr. T. H. Williams,
Leave of absence was granted to himself until Thursday next.

On motion of Mr. Holt,
Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Chapman,
Leave of absence was granted to Mr. Rogers until Tuesday next.

By unanimous consent,
Mr. Engleman offered the following:

Resolved, That when this House adjourn to-day, it will stand adjourned until Monday next, May the 9th, 2 o'clock P. M.

Mr. Oviatt moved to amend the resolution by making the hour 9:15 P. M.,
Which was not agreed to.

The resolution was then adopted.

By unanimous consent,

Mr. Manly moved to discharge the committee of the whole from the further consideration of

Senate bill No. 344 (file No. 203), entitled

A bill to prevent taking or killing or catching any fish in Kavanaugh Lake in the township of Sylvan, in the county of Washtenaw, with spears, or by shooting them with fire arms or by the use of dynamite explosives,

Which motion prevailed.

On motion of Mr. Manly,

The bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Jones,	Mr. Rentz,
Ashton,	Diekema,	Killeen,	Robinson, R.,
Baker, W. A.,	Dillon,	Kirby,	Rounsville,
Baldwin,	Douglass,	Lincoln,	Rumsey,
Bardwell,	Dunbar,	Manly,	Spencer,
Bates,	Eldred,	McCormick,	Stuart,
Beecher,	Engleman,	McKie,	Tindall,
Bettinger,	Goodrich,	McMillan,	Vickary,
Bentley,	Green,	Mulvey,	Washburn,
Breen,	Grenell,	Ogg,	Watson, F. H.
Brock,	Haskin,	Oviatt,	Watson, H.,
Cady,	Hill,	Pardee,	Webber,
Canlon,	Holt,	Pettit,	Wellman,
Case,	Hoobler,	Pierce,	Williams, T. H.
Chamberlain,	Hosford,	Powers,	Williams, W. W.
Crocker,	Houk,	Preston,	Speaker,
Cross,	Hunt,	Reader,	

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NAYS.

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Title agreed to.

On motion of Mr. Manly,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

PRESENTATION OF PETITIONS.

No. 1201. By Mr. Simpson: Petition of F. O. Shattuck, Wm. O. Packard and 84 others, asking for local option, increased taxation and increased bond in relation to the liquor traffic.

Referred to the committee on liquor traffic.

No. 1202. By Mr. Houk: Petition of W. E. Thorp, D. Landon, B. S. Reed and 106 others, for the passage of House bill No. 609 (file 354), making an appropriation of \$20,000 for the erection of monuments to mark the places where Michigan troops fought on the battlefield of Gettysburg.

On demand of Mr. Houk,

The petition was read at length and spread at large on the journal, as follows:

To the Honorable Legislature of the State of Michigan:

We, the undersigned petitioners asking for the passage of House bill No. 609 (file No. 354), "To make an appropriation for marking by monuments the places where the 1st, 3d, 4th, 5th, 7th, 16th and 24th Michigan infantry, the 1st, 5th, 6th and 7th Michigan cavalry, the 9th battery, "I" Michigan artillery, and companies "C," "I," and "K," of the 1st regiment of U. S. S., and company "B" 2d regiment of U. S. S., known as Berdan's Michigan sharpshooters, or any other command of Michigan volunteers who fought upon the battlefield of Gettysburg, and providing for the erection of the same," for which your petitioners, soldiers and loyal citizens, do ever pray.

Referred to the committee on military affairs.

On motion of Mr. F. H. Watson,

The House took up the order of

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to inform the House relative to Senate bill No. 22 (file No. 25), entitled

A bill to require security to be given on staying proceedings upon verdicts and judgments in the circuit courts of this State,

That Messrs. Sharp, Palmer and Wisner have been appointed as a committee of conference on the part of the Senate.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to inform the House relative to Senate bill No. 177 (file No. 85), entitled

A bill to provide for the better protection of lives of passengers and employes on railroad trains,

That Messrs. Seymour, Atwood and Stark have been appointed as a committee of conference on the part of the Senate and that the bill has been referred to such committee.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 55 (file No. 48), entitled

A bill making an appropriation for the asylum for insane criminals,

Which the House amended as follows:

1. By striking out of line 4 section 1, the words "three hundred and twenty-five" and inserting in lieu thereof the words "two hundred and fifty."

2. By striking out of line 5 section 1, the word "hair."

3. By striking out of line 6 section 1, the words "three hundred" and inserting in lieu thereof the words "two hundred,"

4. By striking out of line 9 section 1, the word "skilled,"

5. By striking out of section 1, and commencing in line 17, the following: "And that the further sum of one hundred dollars be and is hereby appropriated out of the general fund for pillows and bedding for twenty-five beds."

6. By striking out, commencing in line 18, section 1, the following: "And that the further sum of one hundred dollars be and is hereby appropriated out of the general fund for pictures for wards."

7. By striking out of line 2 section 2, the words, "four hundred and ten dollars," and inserting in lieu thereof the words, "and thirty-five dollars."

And to inform the House that in the fourth named amendment the Senate has concurred, but has non-concurred in the rest of said amendments.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Mr. Webber moved that the House recede from amendments numbers 1, 2, 3, 5, 6 and 7, made by the House to the bill.

Mr. F. H. Williams demanded a division of the question.

The question then being taken on amendments numbered 1 and 2, the House refused to recede therefrom by yeas and nays as follows:

YEAS.

Mr. Baker, S., Mr. Dunbar, Mr. Watson, F. H.

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NAYS.

Mr. Abbott,	Mr. Cross,	Mr. Killean,	Mr. Robinson, R.,
Ashton,	Damon,	Kirby,	Rounsville,
Baker, W. A.,	Dillon,	Lincoln,	Rumsey,
Baldwin,	Douglass,	Manly,	Spencer,
Bardwell,	Eldred,	McCormick,	Stuart,
Bates,	Engleman,	McKie,	Tindall,

Mr. Beecher,	Mr. Goodrich,	Mr. Ogg,	Mr. Vickary,
Bettinger,	Green,	Oviatt,	Washburn,
Bentley,	Grenell,	Pardee,	Watson, H.,
Breen,	Haskin,	Pierce,	Webber,
Brock,	Hill,	Powers,	Wellman,
Cady,	Hosford,	Preston,	Williams, T. H.
Cannon,	Houk,	Reader,	Williams, W. W.
Case,	Hunt,	Rentz,	Speaker,
Chapman,	Jones.		58

The question then being taken on the third-named amendment, the House refused to recede therefrom by yeas and nays as follows:

YEAS.

Mr. Ashton,	Mr. Green,	Mr. Mulvey,	Mr. Rentz,
Baker, W. A.,	Hunt,	Ogg,	Tindall,
Bettinger,	Kirby,	Oviatt,	Watson, F. H.,
Brock,	Manly,	Reader,	Webber,
Goodrich,	McMillan,		18

NAYS.

Mr. Abbott,	Mr. Chamberlain,	Mr. Haskin,	Mr. Pierce,
Baker, S.,	Chapman,	Hill,	Powers,
Baldwin,	Cross,	Hosford,	Preston,
Bardwell,	Damon,	Houk,	Robinson, R.,
Bates,	Diekema,	Jones,	Rounsville,
Beecher,	Dillon,	Killeen,	Rumsey,
Bentley,	Douglass,	McCormick,	Watson, H.,
Breen,	Dunbar,	McKie,	Wellman,
Cady,	Eldred,	Pardee,	Williams, T. H.
Cannon,	Grenell,	Pettit,	Williams, W. W.
Case,			41

Mr. Chapman moved that the House insist on its 5th, 6th and 7th named amendments,

Which motion prevailed.

The Speaker also announced the following:

SENATE CHAMBER. }
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 453 (file No. 172), entitled

A bill to provide for the publication in newspapers of township proclamations, registration notices, election notices, notices of letting highway and bridge contracts, and all other similar notices, where the law now requires the posting of written or printed notices, and makes no provision for publishing such notices in newspapers,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take effect thirty days after adjournment of the Legislature, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on printing.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 615 (file No. 279), entitled

A bill to require the Erie & Kalamazoo railroad company to operate and maintain or to abandon its line of road between Palmyra Junction and the city of Adrian,

And to inform the House that the Senate has amended the same, as follows, viz.:

1. By inserting in line 2 of section 1, after the word "company" the words "or any lessee thereof having control of, or operating the Erie & Kalamazoo railroad," and inserting in line 8 of the same section after the word "company" the words "or any lessee thereof;"

2. By inserting in line 1 of section 2, after the word "company" the words "or any lessee thereof;"

3. By striking out section 3 and inserting in lieu thereof the following, to stand as such section 3:

SEC. 3. Upon a failure on the part of said Erie and Kalamazoo railroad company, or any lessee thereof, to comply with the terms of this act within the time herein specified, said railroad company shall forfeit the sum of \$100 per day during the time such failure shall continue, to be recovered in an action of trespass on the case in any court of competent jurisdiction. Process may be served on any officer or agent of said company, or the lessee thereof, and when so served shall be a due and sufficient notice.

And further to inform the House that the Senate has amended the title to the bill as follows: By inserting after the word "company" the words "or any lessee thereof, having control of or operating the Erie and Kalamazoo railroad."

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a vote of two-thirds of all the Senators elect, and a vote of two-thirds of all the Senators elect, has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Laid over one day under the rules.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 188 (file No. 80), entitled

A bill to amend section 5 of act No. 79 of the session laws of 1873 and the acts amendatory thereof, entitled "An act to provide for the appointment of a commissioner of railroads and to define his powers and duties and fix his compensation," approved April 10, 1873.

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on railroads.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to the House the following bill:

House bill No. 548 (file No. 246), entitled

A bill making appropriations for the institution for educating the deaf and dumb for the years 1887 and 1888.

And to inform the House that the Senate has amended the same so as to read as follows:

SECTION 1. *The People of the State of Michigan enact*, That the sum of fifty-two thousand dollars for the year eighteen hundred and eighty-seven, and the further sum of fifty-two thousand dollars for the year eighteen hundred and eighty-eight, or so much of the said sums as may be necessary, are hereby appropriated to defray the current expenses of the institution for educating the deaf and dumb.

SEC. 2. The further sum of twenty-four thousand four hundred and eighty-one and seventeen one-hundredths dollars, or as much thereof as may be necessary, is hereby appropriated for the following special purposes: For painting and calcimining, one thousand dollars; for wagon and tool shed, two hundred and seventy-five dollars; for the library, two hundred dollars; for fencing, tiling and ornamenting grounds, two thousand dollars; for the printing office, one thousand five hundred dollars; for walks, eight hundred dollars; for the laundry, six hundred and fifty dollars; for steam pipe covering, [five hundred] dollars; for hospital and necessary changes therein, two thousand dollars; for cottage for superintendent, three thousand dollars; for water tower, one thousand dollars; for repairing roofs and gutters, five hundred dollars; for floors, four hundred dollars; for deficiency, four thousand one hundred and fifty-six and seventeen one-hundredths dollars, and six thousand dollars for the purchase of land for such institution.

SEC. 3. The several sums mentioned in this act are hereby appropriated out of the general fund and passed to the credit of the institute fund for the benefit of the institution for educating the deaf and dumb, and shall be paid to the board of trustees of said institution at such times and in such manner and amounts only as are or may be provided by law, and may be made to appear to the auditor general to be necessary for the immediate wants of said institution, and in no case shall a greater sum than five thousand dollars be drawn at one time from the State treasury: *Provided*, Sixteen thousand dollars may be drawn previous to December 31st, sixteen thousand dollars previous to March 31st, fifteen thousand dollars previous to June 30th, and

the remainder on or before September 30th in each of the years of 1887 and 1888: *Provided further*, That vouchers shall have been filed as required by act No. 148 of the session laws of 1873.

SEC. 4. Of the above mentioned sums the auditor general shall add to and incorporate with the State tax for the year eighteen hundred and eighty-seven, the sum of seventy-[six] thousand [six] hundred and eighty-one and seventeen one-hundredths dollars; and for the year eighteen hundred and eighty-eight, fifty-two thousand dollars, [to be assessed, levied and collected as other State taxes are assessed, levied, and collected]. which sums when collected shall be passed to the credit of the general fund, [to reimburse it for the sums appropriated by sections one and two of this act.]

In the passage of which as thus amended the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

Pending the order that the message lie over one day under the rules, Mr. Jones moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day.

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Jones,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Hunt,	Mr. Powers,
Ashton,	Damon,	Jones,	Preston,
Baker, S.,	Diekema,	Killean,	Reader,
Baker, W. A.	Dillon,	Kirby,	Robinson, R.,
Bardwell,	Douglass,	Lincoln,	Rumsey,
Bates,	Dunbar,	Manly,	Spencer,
Beecher,	Eldred,	McCormick,	Tindall,
Bettinger,	Engleman,	McKee,	Vickary,
Breen,	Goodrich,	McMillan,	Washburn,
Brock,	Green,	Mulvey,	Watson, F. H
Cady,	Grenell,	Ogg,	Webber,
Cannon,	Hill,	Oviatt,	Wellman,
Case,	Holt,	Pardee,	Williams, W. W
Chapman,	Hosford,	Pettit,	Speaker,
Crocker,	Houk,	Pierce,	59

NAYS.

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 134 (file No. 139), entitled

A bill to amend section 15, chapter 3, of an act entitled “An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes contravening the provisions of this act,” being act No. 164 of the public acts of 1881 as amended by act No. 93 of the public acts of 1883,

Which has passed the Senate by a majority vote of all the Senators elect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on education.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, May 5, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 62 (file No. 161), entitled

A bill making an appropriation for continuing the frescoing and decorations of the walls, corridors and rooms of the State capitol,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was read a first and second time by its title and referred to the committee on ways and means.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill :

House bill No. 904, entitled

A bill to amend sections 4, 97, and 215, session laws of 1859, entitled “An act to incorporate the city of Owosso,” approved Feb. 15, 1859, and all subsequent amendments of said sections,

And to inform the House that the Senate has amended the same, as follows:
viz :

1. By adding to the end of section 87 the words “*Provided further*, no motion, resolution or ordinance involving the expenditure of money shall pass the common council unless a majority of all the aldermen elect shall vote therefor ;

2. By striking out of section 215 the word “notified” and inserting in lieu thereof the word “certified,”

In the passage of which, as thus amended, the Senate has concurred by a

majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,
Mr. F. H. Watson moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day.

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. F. H. Watson,

The House concurred, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Houk,	Mr. Preston,
Ashton,	Cross,	Hunt,	Reader,
Baker, S.,	Damon,	Jones,	Robinson, R.,
Baker, W. A.,	Diekema,	Killeen,	Rumsey,
Baldwin,	Dillon,	Kirby,	Spencer,
Bardwell,	Douglass,	Lincoln,	Stuart,
Bates,	Dunbar,	Manly,	Tindall,
Beecher,	Eldred,	McCormick,	Vickary,
Bettinger,	Engleman,	McKie,	Washburn,
Bentley,	Goodrich,	McMillan,	Watson, F. H.,
Breen,	Green,	Mulvey,	Watson, H.,
Brock,	Grenell,	Ogg,	Webber,
Cady,	Haskin,	Oviatt,	Wellman,
Cannon,	Hill,	Pardee,	Williams, T. H.
Case,	Holt,	Pettit,	Williams, W. W.
Chapman,	Hosford,	Powers,	Speaker, 64

NAYS.

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The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 586 (file No. 254), entitled

A bill making an appropriation for the purchase of books for the State library, and for other purposes pertaining to the State library for the years 1887 and 1888.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 6, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 450 (file No. 202), entitled

A bill to amend section one of act number 211 of the session laws of 1865, entitled "An act to prevent fishing with seines, and pound or trap nets in the small inland lakes and streams in the State of Michigan," as amended, being compiler's section 2195 of Howell's annotated statutes of Michigan,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 394 (file No. 208), entitled

A bill to amend section 1225 of Howell's annotated statutes, relative to the payment of specific taxes to counties in the Upper Peninsula,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 393 (file No. 207), entitled

A bill to amend section 1226 of Howell's annotated statutes relative to taxes on mining and smelting companies.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

House bill No. 425 (file No. 326), entitled

A bill to provide for the employment of convicts in the prisons of Michigan that are under state control, to establish their hours of labor, and to make an appropriation for the employment of convicts and to repeal all acts in contravention to this act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grenell,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No 197 (file No. 152), entitled

A bill authorizing a prosecution for larceny committed in any railroad car while in motion [en route], in any county through which said train passes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide that the crime of larceny when committed by a passenger or employé on a railroad train may be punished in another county than that in which such crime is committed,

Recommending that the substitute be concurred in, that the substitute be printed, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered re-printed, referred to the committee of the whole and placed on the general order.

By the committee on judiciary,

The committee on judiciary, to whom was referred

House bill No. 634, entitled

A bill to amend section 2 of chapter 226 of the compiled laws of 1871, being section 5964 of Howell's annotated statutes, relative to the assignment to those entitled thereto of the residue of the estate of deceased persons.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 851, entitled

A bill to provide record evidence of the trust capacity of executors, administrators and guardians in certain cases.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide additional record evidence of the trust capacity of executors, administrators and guardians in certain cases,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 212 (file No. 142), entitled

A bill to authorize suits to be brought at law or in equity against navigation companies organized under the laws of this State for the purpose of engaging in the business of maritime commerce or navigation within this State, or upon the frontier lakes or other navigable waters, natural or artificial, connected therewith, in the courts of any county in this State, in which the plaintiff resides, or the boats of such company call and do business,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to authorize suits to be brought at law or in equity against navigation companies organized under the laws of this State for the purpose of engaging in the business of maritime commerce or navigation within this State, or upon the frontier lakes or other navigable waters, natural or artificial, connected therewith, in the courts of any county in this State in which the boats of such company call and do business,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on reform school for girls:

The committee on reform school for girls, to whom was referred

House bill No. 221, entitled

A bill to amend section number 2, of act number 133, of the session laws of 1879, as amended by act number 201 of the session laws of 1881, being

compiler's section number 9828 of Howell's annotated statutes, relative to reform school for girls,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

FRANK A. DOUGLASS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, May 7, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State:

[House bill No. 816, being]

An act to authorize the city of Kalamazoo to purchase grounds, erect buildings thereon and maintain a city hospital.

Also,

[House bill No. 246, being]

An act to amend sections 2 and 4 of article 6 of act No. 290 of the session laws of 1867, entitled "An act to incorporate the village of St. Johns," and the acts amendatory thereof.

Also,

[House bill No. 852, file No. 376, being]

An act to amend sections 1 and 5 of act No. 280 of the local acts of 1879, entitled "An act to incorporate the village of Petoskey," approved February 27, 1879, and to add a new section thereto to stand as section eight.

C. G. LUCE, *Governor*.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, May 6, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State,

House bill No. 102, being

An act to change the name of Arthur W. Gleason to Arthur W. McCarty and make him the heir-at-law of William McCarty and Betsy McCarty.

Also,

House bill No. 333 (file No. 287), being

An act to amend section 4 of chapter 12 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883, and being act No. 326 of the local acts of 1883,

Also,

House bill No. 266 (file No. 145, being)

An act to amend sec. 1 of chap 9 of act No. 326 of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883.

Also,

House bill No. 489, being

To amend sec. 1 of act 222, session laws of 1873, entitled "An act to incorporate the village of Pierson," approved March 27, 1873, as amended by act No. 322, session laws of 1879, approved March 29, 1879.

Also,

Concurrent resolution No. 3, relative to printing the report of the select joint committee on insurance.

C. G. LUCE,
Governor.

The message was laid upon the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, May 7, 1887. }

To the Speaker of the House of Representative :

Dear Sir—In compliance with the request of the House of Representatives of May 6th, I have the honor to return herewith

House bill No. 58 (file No. 123), entitled

"An act to provide for laying out and establishing a State road in Bay county, to be known as the Bay City and An Sable State road extension."

Also,

House bill No. 61 (file No. 64), entitled

An act to amend the title of act No. 379 of the local act of the Legislature of the State of Michigan of 1885, and to amend section 2 of said act, being an act entitled "An act to authorize the county of Bay to buy and maintain or build a bridge across the Saginaw river."

Very Respectfully,

C. G. LUCE, *Governor.*

On motion of Mr. Brock,

The two named bills were laid on the table.

THIRD READING OF BILLS.

House bill No. 482 (file No. 311), entitled

A bill to amend act No. 317 of session laws of 1883, being an act entitled "An act to organize a public library in West Bay City," by adding a new section thereto numbered section nine, for the purpose of providing a fund for the enlargement and improvement of said public library,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Hunt,	Mr. Preston,
Ashton,	Cross,	Jones,	Reader,
Baker, S.,	Damon,	Killeen,	Rentz,
Baker, W. A.,	Diekema,	Kirby,	Robinson, R.,
Baldwin,	Dillon,	Lincoln,	Rumsey,
Bardwell,	Douglass,	Manly,	Simpson,
Bates,	Dunbar,	McCormick,	Spencer,

Mr. Beecher,	Mr. Eldred,	Mr. McKie,	Mr. Stuart,
Bentley,	Engleman,	McMillan,	Tindall,
Breen,	Goodrich,	Mulvey,	Vickary,
Brock,	Grenell,	Ogg,	Washburn,
Cady,	Haskin,	Oviatt,	Watson, F. H.
Cannon,	Hill,	Perkins,	Wellman,
Case,	Holt,	Pettit,	Williams, T. H.
Chamberlain,	Hosford,	Pierce,	Williams, W. W.
Chapman,	Houk,	Powers,	Speaker, 64

NAYS.

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Title agreed to.

On motion of Mr. Brock,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

MOTIONS AND RESOLUTIONS.

Mr. Green moved to take from the table

House bill No. 58 (file No. 123), entitled

A bill to provide for laying out and establishing a State road in Bay county to be known as "The Bay City and Au Sable State road extension."

Which motion did not prevail.

Mr. Green moved to take from the table,

House bill No. 61 (file No. 64), entitled

A bill to amend the title of act numbered 179 of the local acts of the Legislature of the State of Michigan for the year 1885, and to amend section 2 of said act, being an act entitled "An act to authorize the county of Bay to buy and maintain or build a bridge across the Saginaw river,"

Which motion did not prevail.

Mr. Dillon moved to discharge the committee on manufactures from the further consideration of

House bill No. 493, entitled

A bill to amend section 3, of act No. 78, session laws of 1883, entitled "An act to authorize the incorporation of manufacturers' mutual fire insurance companies," approved May 10, 1883, and to add four new sections to said act to be designated as sections 17, 18, 19 and 20,

Which motion prevailed.

On motion of Mr. Dillon,

The bill was referred to the committee on insurance.

Mr. Engleman moved that the House adjourn.

Which motion prevailed, and the Speaker declared the House adjourned until Monday next at 2:30 o'clock P. M.

Lansing, Monday, May 9, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Callen,

Roll called: quorum present.

Absent without leave: Messrs. Bardwell, Bettinger, Burr, Cady, Dougherty, Douglass, Hosford, Killean, Makelim, O'Keefe, Oviatt, Powers, Rumsey, Simpson, Washburn, and F. H. Watson.

On motion of Mr. W. A. Baker,

Leave of absence was granted to all absentees for the afternoon.

PRESENTATION OF PETITIONS.

No. 1203. By Mr. Manly: Petition of brewers of Michigan relative to taxation.

Referred to the committee on liquor traffic.

No. 1204. By Mr. Crocker: Petition of brewers relative to taxation.

Referred to the committee on liquor traffic.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred the foregoing resolution,

WHEREAS—Certain townships in this State did, in pursuance of the provisions of act number 45, of the session laws of 1869, approved March 22, 1869, vote to issue bonds to aid in the construction of railroads through their territory, which said bonds were executed and delivered to said railroad companies, or their agents, in compliance with said act: and

WHEREAS—The Supreme Court of the State of Michigan, did on the 26th day of May, 1870, declare said act, under which the aforesaid bonds were executed, to be unconstitutional, thereby preventing the said townships from paying said bonds at maturity, and in consequence of such decision said bonds were allowed to remain unpaid. In a suit before the United States Supreme Court it was decided said bonds were legal and must be paid. Said townships have in consequence been obliged to provide for the payment of said bonds, and in addition to the original bonds and interest, a large additional charge for interest which had accumulated after their maturity and previous to said decision of the United States Supreme Court; therefore,

Resolved, That the committee on State affairs be instructed to investigate and ascertain whether such townships are entitled to any measure of relief, and report to this House by bill or otherwise.

Respectfully report that on first investigation they were of the opinion that no claim for relief existed either in law or equity; but on further consideration and in view of facts subsequently brought to our attention, we are inclined to the opinion that in equity the case merits consideration. However, as no definite steps can be taken at this session, we deem it advisable not to make any more detailed report at this time.

A. R. CHAPMAN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. McKie,
The resolution was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 377 (file No. 120), entitled

A bill to amend sections 107, 109 and 111 of chapter 10 of the compiled laws of 1871, being sections 626, 628 and 630 of Howell's annotated statutes of Michigan, relative to the appointment and qualification of notaries public and the duties of county clerks relative thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chapman,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 261, entitled

A bill to amend sec. 2198 of Howell's annotated statutes of Michigan relative to the protection of game,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 891, entitled

A bill to amend section 3 of chapter 36 of Howell's amended statutes, being compilers section 1594, relative to the legal rate of interest,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House without amendment and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. H. Bates,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 348, entitled

A bill to regulate the handling and selling of property by agents and commission merchants, and defining the rights of ownership therein,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The bill was laid upon the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 608, entitled

A bill to provide statistics for the use of the State board of equalization and boards of supervisors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Beecher,

The bill was laid on the table.

By the committee on state affairs:

The committee on state affairs, to whom was referred

House bill No. 181, entitled

A bill to amend section 8 of chapter 6 of an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April 1st, 1875, being section 284 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Haskin,

The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 282, entitled

A bill to amend section 75 of chapter 10 of the compiled laws of 1871, being section 585 of Howell's Annotated Statutes, relative to county officers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pierce,

The bill was laid upon the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 648, entitled

A bill to amend section 3719, chapter 103, of Howell's Annotated Statutes, relative to express companies incorporated in other states,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Mulvey,

The bill was laid on the table.

By the committee on State affairs :

The committee on State affairs to whom was referred

House bill No. 619, entitled

A bill relative to express companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do not pass, and ask to be discharged from the further consideration of the subject.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pierce,

The bill was laid upon the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 317 (manuscript), entitled

A bill to detach certain territory from school districts No. 1 and No. 2 of the township of Echo, county of Antrim, and to organize and incorporate the same into a school district, to be known and designated as school district No. 5, in the said township of Echo.

Also,

House bill No. 94 (file No. 46), entitled

A bill to amend section 1 of act number 1 of the public acts of 1873, entitled "An act to amend section 14 of an act entitled 'An act to provide for the organization of the supreme court pursuant to section 2 of article 6 of the constitution,'" approved February 16, 1857, being compiler's section 6393 of Howell's annotated statutes.

Also,

House bill No. 659 (file No. 209), entitled

An act to amend sections 1 and 2 of act 179 of the public acts of 1883, entitled "An act to regulate the width of wagon tires to be used with lumber wagons," approved June 8, 1883.

Also,

House bill No. 852 (file No. 376), entitled

An act to amend secs. 1 and 5 of act No. 280 of the local acts of 1879, entitled "An act to incorporate the village of Petoskey," approved Feb. 27, 1879, and to add a new section thereto to stand as section 8.

ROBERT Y. OGG, *Chairman.*

Report accepted.

MOTIONS AND RESOLUTIONS.

Mr. Diekema moved to take from the table,

House bill No. 825, entitled

A bill to amend section 41 of act No. 153 of the year 1885, being an act entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon.

Which motion prevailed.

On motion of Mr. Diekema,

The bill was referred to the committee on judiciary.

On motion of Mr. Wood,

The special order for the consideration of

House bill No. 504 (file No. 371), entitled

A bill to revise, consolidate and amend the liquor law of this State,

Was deferred until tomorrow.

GENERAL ORDER.

On motion of Mr. Chapman,

The House went into committee of the whole, on the general order,

Whereupon the Speaker called Mr. Haskin to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report :

The committee of the whole have had under consideration the following bills :

1. House bill No. 528, file No. 374, entitled

A bill making appropriations for the current expenses and for buildings, etc., for the reform school for the years 1887 and 1888.

2. House bill No. 445, file No. 356, entitled

A bill to provide additional fire protection at the Michigan soldiers' home at Grand Rapids, and to make an appropriation therefor.

3. House bill No. 68, file No. 359, entitled

A bill to provide for the re-issue of lost or destroyed certificates of stock of corporations or companies.

4. House bill No. 276, file No. 360, entitled

A bill to amend section 26 of chapter 185 of the compiled laws of 1871, relative to "set-offs," being compiler's section 7365 of Howell's annotated statutes of Michigan.

5. House bill No. 379, file No. 362, entitled

A bill to repeal act number 184 of the laws of 1859 as amended by act No. 73 of the laws of 1861, the same being compiler's section 9187 of Howell's annotated statutes relative to the fraudulent removal or embezzlement of chattel mortgaged property.

6. House bill No. 378 (file No. 363), entitled

A bill to amend section 1 of act No. 43 of the laws of 1873, the same being compiler's section 9188 of Howell's annotated statutes relative to the fraudulent removal or embezzlement of property leased or under contract of purchase, and to repeal section 2 of said act, the same being compiler's section 9189 of Howell's annotated statutes.

7. Senate bill No. 146 (File No. 92), entitled

A bill to amend an act entitled "An act for the incorporation of hospitals and asylums in cases where valuable grants or emoluments have been made to trustees for such purposes," approved March 20, 1863, by adding thereto a new section authorizing amendments of articles of incorporation of corporations organized under said act.

8. House bill No. 7 (file No. 369), entitled

A bill concerning the title of municipal property in the city of Detroit.

9. Senate bill No. 212 (file No. 142), entitled

A bill to authorize suits to be brought at law or in equity against navigation companies organized under the laws of this State for the purpose of engaging in the business of maritime commerce or navigation within this State, or upon the frontier lakes or other navigable waters, natural or artificial connected therewith, in the courts of any county in this State in which the boats of such company call and do business,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

10. House bill No. 397 (file No. 353) entitled

A bill to provide for an independent forestry commission of the State of Michigan and to define its duties and powers, and to provide for the expense thereof.

11. House bill No. 609 (file No. 354) entitled

A bill to make an appropriation for marking by monuments, the places where the 1st, 3d, 4th, 5th, 7th, 16th and 24th Michigan Infantry, the 1st, 5th, 6th, and 7th Michigan Cavalry, the 9th Battery, "I" Michigan Artillery, and Companies "C," "I" and "K," of the 1st Regiment of U. S. S., and Company "B," 2d Regiment of U. S. S., known as Berdan's Michigan Sharpshooters, or any other command of Michigan volunteers who fought upon the battlefield of Gettysburg, and providing for the erection of the same.

12. House bill No. 346 (file No. 355) entitled

A bill to provide for the completion and furnishing of the State House of Correction and branch of the State Prison at Marquette, in the Upper Peninsula, and to make an appropriation therefor.

13. House bill No. 509 (file No. 257) entitled

A bill to amend sections 1 and 2 of an act entitled "An act to provide for the recording of town plats and for vacating the same in certain cases, being compiler's sections 1344 and 1345 compiled laws of 1871, as amended by act No. 108, session laws of 1873, approved April 17, 1873, being compiler's sections 1473 and 1474 of Howell's annotated statutes as amended by act No. 111 of the public acts of 1885, approved May 21st, 1885,

14. Senate bill No. 192 (file No. 72), entitled

A bill to amend an act entitled "An act to regulate the sale of spirituous, malt, brewed, fermented and vinous liquors, to prohibit the sale of such liquors to minors, to intoxicated persons, and to persons in the habit of getting intoxicated; to provide a remedy against persons selling liquor to husbands or children in certain cases, and to repeal all acts or parts of acts inconsistent herewith," approved June 10, 1881, as amended by acts 178, 187, and 191 of the session laws of 1883, by adding a new section thereto, to stand as section 17, in relation to costs.

15. House bill No. 255 (file No. 375) entitled

A bill to extend and regulate the liability of employers to make compensation for personal injuries suffered by employes or workmen in their service.

16. House bill No. 69 (file No. 131) entitled

A bill to provide for the dissemination of useful information concerning fish culture and the fishing industries of the State.

17. Senate bill No. 393 (file No. 207), entitled

A bill to amend section 1226, of Howell's annotated statutes, relative to taxes on mining and smelting companies.

18. Senate bill No. 394 (file No. 208), entitled

A bill to amend section twelve hundred and twenty-five Howell's annotated statutes, relative to the payment of specific taxes to counties in the upper peninsula,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following bill:

19. House bill No. 186 (file No. 338), entitled

A bill to require and provide for the labor of persons confined in the county jails under sentence thereto,

And have directed their chairman to report the same back to the House with the recommendation that it be laid on the table.

The committee of the whole have also had under consideration the following bill:

20. House bill No. 174 (file No. 365), entitled

A bill to amend sections 9 of article II of act number 198 of the session laws of 1873, being an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owing or operating any railroad in this State, as amended by act number 177, session laws of 1887, and act number 116, public acts of 1883,

And have directed their chairman to report the same back to the House with the recommendation that it be made the special order for Friday, May 13, at 10.15 A. M.

NELSON HASKIN, *Chairman.*

Report accepted and committee discharged.

The first, second, third, fourth, fifth, sixth, seventh, eighth and ninth named bills were placed on the order of third reading.

On motion of Mr. Herrington,

The House concurred in the amendments made by the committee to the tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth named bills, and they were placed on the order of third reading.

On motion of Mr. J. W. Robinson,

The Senate concurred in the recommendation of the committee relative to the nineteenth named bill, and it was laid on the table.

On motion of Mr. Manly,

The House concurred in the recommendation of the committee relative to the twentieth named bill, and it was made the special order for May 13, at 10:15 A. M.

On motion of Mr. Diekema, leave of absence was granted to Mr. Dougherty indefinitely on account of sickness.

Mr. Chapman moved to take from the table

House bill No. 524, entitled

A bill to regulate the sale and use of intoxicating liquors in this State, and to repeal all acts and parts of acts in conflict therewith,

Which motion prevailed.
On motion of Mr. Chapman,
The bill was referred to the committee on liquor traffic.
On motion of Mr. Mulvey,
The House adjourned.

Lansing, Tuesday, May 10, 1887.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Eldred.
Roll called: quorum present.
Absent without leave: Messrs. Cady, Powers, Rogers and Snow.
On motion of Mr. Chapman,
Leave of absence was granted to Mr. Rogers indefinitely.
On motion of Mr. Engleman,
Leave of absence was granted to Mr. Powers indefinitely.
On motion of Mr. Houk,
Leave of absence was granted to Mr. Snow for the day.
On motion of Mr. Rentz,
Leave of absence was granted to Mr. Cady for the day.

PRESENTATION OF PETITIONS.

No. 1205. By Mr. Washburn: Petition of Miles A. Wheeler, Geo. A. Wilcox and 12 others against the passage of House bill 739, relative to insurance companies

Referred to the committee on insurance.

No. 1206. By Mr. Washburn: Petition of Jacob Fisher and other brewers of the city of Adrian relative to taxation.

Also,

No. 1207. Petition of R. A. Kaiser, same subject.

Referred to the committee on liquor traffic.

No. 1208. By Mr. Cole: Petition of W. A. Clark and son, Geo. R. Carpenter and 45 other business men of Blissfield, Lenawee county, approving the taxation of druggists.

Referred to the committee on liquor traffic.

No. 1209. By Mr. Cross: Memorial from the State horticultural society recommending the passage of a forestry law.

On demand of Mr. Cross,

The petition was read at length and spread at large on the journal, as follows:

To the Honorable the Legislature of the State of Michigan:

The undersigned, a committee of the Michigan State Horticultural Society, appointed for this purpose, respectfully represent that a rapid, injurious and to a great extent inconsiderate destruction of the forests of our State has been and still is going on, not only injuriously affecting our climate, but even in

greater measure, diminishing its fruit, vegetable and grain-producing capacities, owing to an increased tendency to extremes of temperature, as well as a greater liability to destructive storms, hurricanes and cyclones.

It is the thorough conviction of the society that, so far as agriculturalists generally are concerned, this excessive and calamitous slaughter of our forests is the result of failure to comprehend the ultimate consequences of such destruction; and, furthermore, that if the preservation or replanting of timber preserves of farms could be located at the sides most exposed to injurious winds, the beneficial influence of such timber would be very greatly increased, while its value, as timber, would not be injuriously affected.

Assuming that the substantial correctness of the above will not be questioned, we, on behalf of the society we represent, respectfully request your honorable body to provide by law, that a strip of timber, either of natural growth, or artificially planted, not exceeding six rods in width along the south and west or north and west sides of a farm shall be exempt from taxation, so long as the same shall be maintained in timber as a windbreak: *Provided*, that the timber growth shall be of sufficient density for such purpose: *And provided*, also, that all stock, except swine, shall be excluded therefrom, to permit a younger growth to assume the place of that removed at maturity.

T. T. LYON,
F. M. HOLLOWAY,
J. F. FITZSIMMONS,

Committee.

Referred to the committee on horticulture.

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

Lansing, May 9, 1887.

To the Honorable the House of Representatives, of the State of Michigan:

GENTLEMEN:—In compliance with the instructions of your honorable body, as set forth in a concurrent resolution, dated May 5, 1887, I herewith submit a statement of all persons to whom Michigan manuals of 1887 have been furnished, and by what authority they were furnished; also the number sold for cash.

Respectfully,

G. R. OSMUN,
Secretary of State,

	No
Board of control of railroads.....	6
Board of fish commissioners and officers.....	5
State board of health.....	7
State board of corrections and charities and officers.....	5
Advisory board in the matter of pardons and officers.....	5
Michigan board of pharmacy.....	5
State board of examiners in dentistry.....	3
State live stock sanitary commission.....	3
Commissioner to the world's fair, San Francisco.....	1
Commissioner to the American exposition in London.....	1

	No.
Commissioners to arrange for celebrating the semi-centennial of the admission of Michigan as a State.....	5
State geologist.....	1
Board of regents of the university and officers.....	11
State board of agriculture and officers.....	8
State board of education.....	4
Michigan mining school, board of control and officers.....	7
State public school, board of control and officers.....	7
Michigan institution for educating the deaf and dumb, board of trustees and officers.....	7
Michigan school for the blind, board of control and officers.....	5
Michigan soldiers' home, board of managers and officers.....	8
Michigan asylum for the insane, board of trustees and officers.....	14
Eastern Michigan asylum, board of trustees and officers.....	14
Northern Michigan asylum, board of trustees and officers.....	13
State prison, board of inspectors and officers.....	8
State house of correction and reformatory, board of managers and officers.....	9
Michigan asylum for insane criminals.....	5
Upper peninsula prison, board of commission and officers.....	7
Detroit house of correction.....	5
Reform school, board of control and officers.....	8
Industrial home for girls, board of control and officers.....	7
Legislature of 1887 and officers.....	158
Governor and executive office employés.....	8
Justices of the supreme court and employés.....	19
Circuit judges.....	28
U. S. circuit and district judges.....	6
State officers (elective and appointive).....	19
Senators and representatives in congress.....	19
Foreign consuls for Michigan.....	6
Governors' staff.....	7
Military board.....	3
Secretary of State's employes.....	38
Auditor general's employes.....	62
Board of corrections and charities' employes.....	2
State treasurer's employes.....	5
Commissioner of the State land office employes.....	10
Military department.....	9
Superintendent of public instruction's employes.....	5
Railroad commissioner's employes.....	3
Insurance commissioner's employes.....	5
State librarian and assistants.....	6
Attorney general's employes.....	2
Labor bureau employes.....	5
Board of health office employes.....	11
Quartermaster-general's office.....	3
Engineer and superintendent of the capitol building and grounds, employes of.....	25
President and cabinet.....	9
Secretaries of other States.....	37

	No.
Ex-State officers.....	77
State library.....	100
Newspapers.....	562
Clerk board of State auditors.....	1

The following were given to newspaper reporters, employés of the Senate and House of Representatives, and ministers of the gospel officiating at the sessions of the Senate and House of Representatives, under the authority of resolutions passed January 14, March 28, and April 8:

Newspaper reporters.....	12
Employés of Senate.....	18
“ “ House of Representatives.....	37
Ministers of the Gospel.....	9

The following members of the Senate and House of Representatives have drawn the number set opposite their names in advance of the distribution to be made by concurrent resolution of the Legislature :

SENATORS.

Senator Campbell.....	7
“ Crosby.....	5
“ Giddings.....	4
“ Monroe.....	1
“ Rairden.....	6
“ Roof.....	4
“ Sharp.....	14
“ Stark.....	5
“ Willits.....	3

REPRESENTATIVES.

Representative Abbott.....	6
“ Allen.....	6
“ S. Baker.....	6
“ Bentley.....	6
“ Breen.....	6
“ Brock.....	6
“ Burr.....	6
“ Cady.....	6
“ Chapman.....	6
“ Cole.....	6
“ Dickson.....	6
“ Dillon.....	6
“ Douglas.....	6
“ Goodrich.....	6
“ Green.....	6
“ Grenell.....	5
“ Herrington.....	6
“ Hoaglin.....	6
“ Hoobler.....	6
“ Hosford.....	6

Representative Houk	1
“ Hunt	6
“ Killean	6
“ Kirby	6
“ Lincoln	6
“ McGregor	6
“ McKie	6
“ McMillan	6
“ Mulvey	6
“ Ogg	5
“ Preston	6
“ Perkins	6
“ Pettit	6
“ Pierce	6
“ Rentz	6
“ J. W. Robinson	6
“ R. Robinson	4
“ Rounsville	6
“ Rumsey	6
“ Snow	5
“ Spencer	6
“ Stuart	6
“ Tindall	6
“ Washburn	6
“ Watts	6
“ Wood	6
“ Markey	6
Sold	28
Total number disposed of	1,871
Total number printed	4,000
“ “ disposed of	1,871
Remaining on hand	2,129

Referred to the special committee on distribution of manuals.

THIRD READING OF BILLS.

House bill No. 378 (file No. 363), entitled

A bill to amend section 1 of act No. 43 of the laws of 1873, the same being compiler's section 9188 of Howell's annotated statutes relative to the fraudulent removal or embezzlement of property leased or under contract of purchase, and to repeal section 2 of said act, the same being compiler's section 9189 of Howell's annotated statutes,

Was read a third time and passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Houk,	Mr. Pettit,
Anderson,	Cole,	Hunt,	Pierce,
Ashton,	Crocker,	Kelley,	Rentz,

Mr. Baker, S.,	Mr. Cross,	Mr. Killean,	Mr. Robinson, J. W.
Baker, W. A.,	Damon,	Kirby,	Robinson, R.,
Baldwin,	Dunbar,	Lakey,	Rumsey,
Bardwell,	Eldred,	Lincoln,	Spencer,
Bates,	Goodrich,	Linton,	Tindall,
Beecher,	Grenell,	Makelim,	Vickary,
Bettinger,	Harper,	Manly,	Vroman,
Breen,	Haskin,	McCormick,	Washburn,
Brock,	Herrington,	McKie,	Watson, F. H.,
Burr,	Hill,	Ogg,	Watson, H.,
Cannon,	Hoaglin,	O'Keefe,	Watts,
Case,	Holt,	Oviatt,	Webber,
Chamberlain,	Hoobler,	Pardee,	Speaker,
Chapell,	Hosford,	Perkins,	

67

NAYS.

Mr. Dickson,	Mr. Simpson,	Mr. Stuart,	Mr. Wood,
Dillon,			

5

Title agreed to.

House bill No. 528 (file No. 374), entitled

A bill making appropriations for the current expenses and for buildings, etc., for the Reform school for the years 1887 and 1888,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Cross,	Mr. Jones,	Mr. Preston,
Allen,	Damon,	Kelley,	Reader,
Ashton,	Dickson,	Killean,	Rentz,
Baker, S.,	Diekema,	Kirby,	Robinson, R.,
Baker, W. A.	Dillon,	Lakey,	Rumsey,
Baldwin,	Douglass,	Lincoln,	Simpson,
Bardwell,	Eldred,	Makelim,	Spencer,
Bates,	Engleman,	Manly,	Stuart,
Beecher,	Goodrich,	McCormick,	Tindall,
Bettinger,	Grenell,	McKie,	Van Orthwick,
Breen,	Harper,	McMillan,	Vickary,
Brock,	Haskin,	Mulvey,	Washburn,
Cannon,	Herrington,	Ogg,	Watson, H.,
Case,	Hill,	O'Keefe,	Watts,
Chamberlain,	Hoaglin,	Oviatt,	Wellman,
Chapell,	Hoobler,	Pardee,	Williams, W. W.
Chapman,	Hosford,	Perkins,	Wood,
Cole,	Houk,	Pettit,	Speaker,
Crocker,	Hunt,	Pierce,	

75

NAYS.

0

Title agreed to.

On motion of Mr. Abbott,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 255 (file No. 375), entitled

A bill to extend and regulate the liability of employers to make compensation for personal injuries suffered by employes and workmen in their service,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Hosford,	Mr. Pierce,
Allen,	Cross,	Houk,	Reader,
Baker, S.	Damon,	Hunt,	Rentz,
Baldwin,	Diekema,	Killean,	Robinson, J. W.
Bettinger	Dunbar,	Kirby,	Robinson, R.,
Bentley,	Eldred,	Lincoln,	Stuart,
Breen,	Engleman,	Makelim,	Tindall,
Brock,	Goodrich,	Manly,	Vroman,
Burr,	Grenell,	McKie,	Watson, F. H.,
Cannon,	Haskin,	Mulvey,	Watson, H.,
Case,	Herrington,	Ogg,	Webber,
Chamberlain,	Hill,	O'Keefe,	Wellman,
Chapell,	Hoaglin,	Oviatt,	Williams, W. W
Cole,	Hoobler,	Perkins,	Wood, 56

NAYS.

Mr. Anderson,	Mr. Harper,	Mr. Pettit,	Mr. Spencer,
Chapman,	Kelley,	Simpson,	VanOrthwick,
Dickson,	Pardee,		10

Title agreed to.

House bill No. 379 (file No. 362), entitled

A bill to repeal act number 184 of the laws of 1859 as amended by act No. 73 of the laws of 1861, the same being compiler's section 9187 of Howell's annotated statutes relative to the fraudulent removal or embezzlement of chattel mortgage property,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS

Mr. Allen,	Mr. Damon,	Mr. Houk,	Mr. Pettit,
Ashton,	Diekema,	Hunt,	Reader,
Baker, W. A.,	Douglass,	Kelley,	Rentz,
Baldwin,	Dunbar,	Killean,	Robinson, J. W.
Bates,	Eldred,	Kirby,	Robinson, R.,
Beecher,	Engleman,	Lakey,	Rumsey,
Bettinger,	Goodrich,	Lincoln,	Spencer,
Breen,	Grenell,	McCormick,	Stuart,
Cannon,	Harper,	McKie,	Tindall,
Case,	Haskin,	Ogg,	VanOrthwick,
Chamberlain,	Herrington,	O'Keefe,	Vickary,
Chapman,	Hill,	Oviatt,	Washburn,
Crocker,	Hoaglin,	Pardee,	Watson, F. H
Cross,	Hosford,	Perkins,	Watson, H. 56

NAYS.

Mr. Rentz,

Title agreed to.

House bill No. 276 (file No. 360), entitled

A bill to amend section 26 of chapter 185 of the compiled laws of 1871, relative to "set-offs," being compiler's section 7365 of Howell's annotated statutes of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Hoobler,	Mr. Pierce,
Allen,	Cross,	Hosford,	Preston,
Anderson,	Damon,	Kelley,	Reader,
Ashton,	Dickson,	Killeen,	Rentz,
Baker, W. A.,	Diekema,	Kirby,	Robinson, J. W.
Baldwin,	Dillon,	Lakey,	Robinson, R.,
Bardwell,	Douglass,	Lincoln,	Rounsville,
Bates,	Dunbar,	Linton,	Rumsey,
Beecher,	Eldred,	Manly,	Simpson,
Bettinger,	Engleman,	McCormick,	Spencer,
Bentley,	Goodrich,	McKie,	Tindall,
Breen,	Grenell,	Mulvey,	VanOrthwick,
Cannon,	Harper,	Ogg,	Vickary,
Case,	Haskin,	Oviatt,	Vroman,
Chamberlain,	Hill,	Perkins,	Watson, F. H.,
Chapell,	Hoaglin,	Pettit,	Wellman,
Cole,			65

NAYS.

Mr. Wood,

1

Title agreed to.

Mr. Lincoln moved to take from the table

House bill No. 463 (file No. 336), entitled

A bill to amend sections Nos. 26, 31, and 41 of an act entitled "An act to provide for holding general and special elections," being compiler's sections Nos. 162, 167 and 177 of Howell's annotated statutes,

Which motion prevailed.

On motion of Mr. Lincoln,

The bill was put upon its immediate passage.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Diekema,

The bill was laid upon the table.

House bill No. 445, (file No. 356), entitled

A bill to provide additional fire protection at the Michigan soldiers' home at Grand Rapids, and to make an appropriation therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Jones,	Mr. Rentz,
Allen,	Dickson,	Kelley,	Robinson, J. W.
Anderson,	Diekema,	Kirby,	Robinson, R.,

Mr. Ashton,	Mr. Dillon,	Mr. Lakey,	Mr. Rounsville,
Baker, S.	Douglass,	Lincoln,	Rumsey,
Baker, W. A.,	Dunbar,	Linton,	Simpson,
Baldwin,	Eldred,	Manly,	Spencer,
Bardwell,	Engleman,	McCormick,	Stuart,
Bates,	Goodrich,	McKie,	Tindall,
Beecher,	Grenell,	Mulvey,	Van Orthwick,
Bettinger,	Harper,	Ogg,	Vickary,
Bentley,	Haskin,	O'Keefe,	Vroman,
Brock,	Herrington,	Oviatt,	Washburn,
Burr,	Hill,	Pardee,	Watson, H.,
Cannon,	Hoaglin,	Perkins,	Watts,
Chamberlain,	Holt,	Pettit,	Webber,
Chapell,	Hoobler,	Pierce,	Williams, W. W
Chapman,	Hosford,	Preston,	Wood,
Cole,	Houk,	Reader,	Speaker,
Cross,			

77

NAYS.

0

Title agreed to.

On motion of Mr. Dickson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 7 (file No. 369), entitled

A bill concerning the title of municipal property in the city of Detroit,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Baker, S.,	Mr. Cole,	Mr. Hunt,	Mr. Robinson, R.,
Baker, W. A.,	Cross,	Killeen,	Rounsville,
Bardwell,	Diekema,	Kirby,	Rumsey,
Beecher,	Dunbar,	Lakey,	Spencer,
Bettinger,	Eldred,	McCormick,	Stuart,
Bentley,	Engleman,	Mulvey,	Vroman,
Breen,	Grenell,	Ogg,	Washburn,
Brock,	Harper,	Pardee,	Watson, F. H.
Chamberlain,	Hoaglin,	Perkins,	Watson, H.
Chapell,	Hoobler,	Preston,	Wellman,
Chapman,	Houk,	Robinson, J. W.	

43

NAYS.

Mr. Abbott,	Mr. Dickson,	Mr. Makelim,	Mr. Rentz,
Anderson,	Goodrich,	Manly,	Simpson,
Ashton,	Haskin,	O'Keefe,	Vickary,
Bates,	Herrington,	Oviatt,	Watts,
Burr,	Hosford,	Pettit,	Wood,
Cannon,	Jones,	Pierce,	

23

House bill No. 68 (file No. 359), entitled

A bill to provide for the re-issue of lost or destroyed certificates of stock of corporations or companies,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Hosford,	Mr. Pierce,
Allen,	Cross,	Hunt,	Preston
Anderson,	Damon,	Jones,	Reader,
Ashton,	Dickson,	Kelley,	Robinson, R.,
Baker S.,	Diekema,	Killean,	Rounsville,
Baker, W. A.	Dillon,	Kirby,	Rumsey,
Baldwin,	Dunbar,	Lincoln	Simpson,
Bardwell,	Eldred,	Linton,	Spencer,
Bates,	Engleman,	Makelim,	Stuart,
Beecher,	Goodrich,	Manly,	Tindall,
Bettinger,	Grenell,	McCormick,	VanOrthwick,
Breen,	Harper,	Mulvey,	Vickary,
Brock,	Haskin,	Ogg,	Washburn,
Cannon,	Herrington,	O'Keefe,	Watson, F. H.,
Case,	Hill,	Pardee,	Watson, H.,
Chapman,	Hoaglin,	Perkins,	Wellman,
Cole,	Hoobler,	Pettit,	Speaker, 68

NAYS.

0

Title agreed to.

On motion of Mr. Eldred,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 212 (file No. 142), entitled

A bill to authorize suits to be brought at law or in equity against navigation companies organized under the laws of this State for the purpose of engaging in the business of maritime commerce or navigation within this State, or upon the frontier lakes or other navigable waters, natural or artificial connected therewith, in the courts of any county in this State in which the boats of such company call and do business,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Hill,	Mr. Perkins,
Allen,	Cole,	Hoobler,	Pettit,
Anderson,	Crocker,	Hunt,	Reader,
Ashton,	Cross,	Jones,	Rentz,
Baker, S.,	Damon,	Kelley,	Robinson, R.,
Baker, W. A.,	Dickson,	Killean,	Rounsville,
Baldwin,	Diekema,	Lakey,	Rumsey,
Bardwell,	Dillon,	Lincoln,	Simpson,
Bates,	Douglass,	Linton,	Spencer,
Beecher,	Dunbar,	Makelim,	Tindall,
Bentley,	Eldred,	McMillan,	VanOrthwick,
Breen,	Engelman,	Mulvey,	Vickary,
Brock,	Goodrich,	Ogg,	Vroman,
Burr,	Grenell,	O'Keefe,	Washburn,
Case,	Haskin,	Oviatt,	Watson, F. H.,

Mr. Chamberlain, Mr. Herrington, Mr. Pardee, Mr. Wood,
Chapell,

65

NAYS.

Mr. Hosford, Mr. Wellman,

2

Title agreed to.

On motion of Mr. McKie,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Wood moved to reconsider the vote by which the House refused to pass

House bill No. 7 (file No. 369), entitled

A bill concerning the title of municipal property in the city of Detroit,
Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Wood,

The bill was laid on the table.

Senate bill No. 146 (file No. 92), entitled

A bill to amend an act entitled "An act for the incorporation of hospitals and asylums in cases where valuable grants or emoluments have been made to trustees for such purposes," approved March 20, 1863, by adding thereto a new section authorizing amendments of articles of incorporation of corporations organized under said act,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Abbott moved to amend sec. 1 of the bill to read as follows:

SECTION 1. *The people of the State of Michigan enact*, That act No. 242 of the session laws of 1863, entitled "An act for the incorporation of hospitals or asylums in cases where valuable grants or emoluments have been made to trustees for such purposes," approved March 20, 1863, as amended by act No. 10 of the public acts of 1875, approved Feb'y 18, 1875, the same being chapter 166 of Howell's annotated statutes, be and the same is hereby amended by adding thereto a new section, to stand as section 9 of said act, and to read as follows:

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then read a third time and passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Crocker,	Mr. Kelley,	Mr. Reader,
Allen,	Damon,	Killean	Rentz,
Ashton,	Dickson,	Kirby,	Robinson, J. W.
Baker, S.,	Diekema,	Lakey,	Robinson, R.
Baker, W. A.	Dillon,	Linton,	Rounsville,
Baldwin,	Douglass,	Manly,	Simpson,
Bardwell,	Dunbar,	McCormick,	Spencer,
Bates,	Eldred,	McKie,	Stuart,
Beecher,	Goodrich,	McMillan,	Tindall,
Bettinger,	Grenell,	Mulvey,	VanOrthwick,
Bentley,	Harper,	Ogg,	Vickary,
Breen,	Haskin,	O'Keefe,	Vroman,

Mr. Brock,	Mr. Hill,	Mr. Oviatt,	Mr. Washburn,
Burr,	Holt,	Pardee,	Watson F. H.
Cannon,	Hoobler,	Perkins.	Webber,
Case,	Hosford,	Pettit,	Wellman,
Chamberlain,	Houk,	Pierce,	Wood,
Chapman,	Hunt,	Preston,	Speaker,
Cole,	Jones,		

74

NAYS.

0

The question being on agreeing to the title,

Mr. Abbott moved to amend the title so as to read as follows:

A bill to amend act No. 242, session laws of 1863, being an act entitled "An act for the incorporation of hospitals and asylums in cases where valuable grants or emoluments have been made to trustees for such purposes," approved March 20, 1863, as amended by act No 10, public acts of 1875, the same being chapter 166 of Howell's annotated statutes, by adding thereto a new section to stand as section 9 of said act, authorizing amendments of articles of incorporation of corporations organized under said act,

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. McKie,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 397 (file No. 353), entitled

A bill to provide for an independent forestry commission of the State of Michigan and to define its duties and powers, and to provide for the expense thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Chapell,	Mr. Houk,	Mr. Rentz,
Ashton,	Chapman,	Hunt,	Robinson, J. W.
Baker, S.,	Cross,	Jones,	Robinson, R.,
Baker, W. A.,	Damon,	Kelly,	Rumsey,
Baldwin,	Diekema,	Killean,	Simpson,
Bardwell,	Dillon,	Kirby,	Spencer,
Bates,	Eldred,	Makelim,	Stuart,
Beecher,	Engleman,	McKie,	VanOrthwick,
Bettinger,	Go drich,	McMillan,	Vickary,
Bentley,	Haskin,	Mulvey,	Washburn,
Breen,	Hill,	Ogg,	Watson, F. H.,
Brock,	Hoaglin,	Perkins,	Watson, H.,
Burr,	Holt,	Pierce,	Wellman,
Cannon,	Hoobler,	Reader,	Speaker,
Case,			

57

NAYS.

Mr. Chamberlain,	Mr. Manly,	Mr. Pettit,	Mr. Tindall,
Cole,	O'Keefe,	Preston,	Watts,
Dickson,	Pardee,	Rounsville,	Wood,
Harper,			

13

Title agreed to.

Mr. Burr moved to take from the table

House bill No. 373, entitled

A bill to regulate the sale of malt, brewed or fermented, spiritous and vinous liquors in cities, towns, counties and villages in this State.

Which motion prevailed.

On motion of Mr. Burr,

The bill was referred to the committee on liquor traffic.

On motion of Mr. Chapman,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

No. 1210. By Mr. Manly: Petition of J. J. Philips and numerous others asking for the passage of the Manly bill known as House bill number 97, relative to railroads,

Also,

No. 1211. Petition of Samuel Bunker and numerous others, same subject. Referred to the committee on railroads.

REPORTS OF STANDING COMMITTEES.

By the committee on State house of correction.

The committee on State House of correction, to whom was referred

Senate bill No. 195 (file No. 149), entitled

A bill making appropriations for the purchase of material for a school house, for the purchase of machinery and for improvements and repairs at the State house of correction and reformatory at Ionia,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CONRAD BETTINGER, *Chairman.*

Report accepted and committee discharged.

The bill was then referred to the committee on ways and means.

SPECIAL ORDER.

On motion of Mr. Bates,

The House went into committee of the whole on the special order,

Whereupon the Speaker called Mr. Chapman to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 504 (file No. 371), entitled

A bill to revise, consolidate and amend the liquor law of this State,

But not having gone through therewith, have directed their chairman to report that fact to the House and ask leave to sit again.

A. R. CHAPMAN, *Chairman*.

Report accepted.

On motion of Mr. Baumgardner,

Leave was granted to the committee to sit again for the consideration of the bill.

On motion of Mr. Simpson,

The House adjourned.

Lansing, Wednesday, May 11, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Squires.

Roll called: quorum present.

Absent without leave: Messrs. Douglass and W. W. Williams.

On motion of Mr. Green,

Leave of absence was granted to himself indefinitely.

On motion of Mr. Mulvey,

Leave of absence was granted to Mr. Douglass for the day.

On motion of Mr. Rumsey,

Leave of absence was granted to Mr. W. W. Williams until Monday next.

PRESENTATION OF PETITIONS.

No 1212. By Mr. Cole: Petition of W. A. Clark and son, Geo. R. Carpenter and 45 other business men of Blissfield, Lenawee county, against the taxation of druggists.

Referred to the committee on liquor traffic.

No. 1213. By Mr. Watts: Memorial of the trustees of the Old People's Life Insurance company of Jackson.

On demand of Mr. Watts,

The memorial was read at length, and spread at large on the journal, as follows:

Memorial of the trustees of the Old People's Life Insurance company of Jackson, Michigan.

To the Honorable Legislature of the State of Michigan:

The trustees of the Old People's Life Insurance company of Jackson, Michigan, respectfully submit the following in relation to the report made April 23d, by your special committee appointed to investigate the life insurance companies of the State of Michigan.

The report is as follows:

"From the evidence obtained by an examination of the files of applications and the officers of this company, your committee ascertained that it was the

common practice with this company, that the person named as beneficiary in the applications, shall execute the medical certificate attached thereto, an examination of 47 applications revealing that in 38 of them the medical certificate was signed by the beneficiary. The secretary and general agent of this company both stating that they prefer to have them signed in that way in preference to their being made out and signed by a physician.

"The secretary of the company testified that they required the application to be signed by the party who is to be insured. But the facts developed upon his examination did not bear out that statement. Applications were found in the files which were signed, in the blank provided for the signature of the person to be insured, by the beneficiary and in his own name. Applications were found for the insurance of people living outside of this State in which the beneficiary named was the secretary of this company, in relation to which the secretary testified that he signed the names of the applicants and that he filled out and signed the medical certificate thereto. The secretary also carries insurance in this company for his own benefit upon his brother's wife and several other parties under the claim that they are debtors of his.

"Another similar instance was that of an application for insurance upon the life of one Peter Zuber in favor of Amanda Eveland. The name of Peter Zuber to the application, purported to have been signed by D. M. Eveland and the medical examination thereon, was signed D. M. Eveland, and there is no pretense that D. M. Eveland is a medical man. The evidence tended to show that he was simply the husband of the beneficiary named."

Regarding the 38 applications mentioned. The report should have stated that in such cases the medical certificate was not required, and that a beneficiary's certificate was accepted instead (and the application endorsed by our medical director. We desire to say in explanation of this practice, that the beneficiary in executing this health certificate, becomes responsible for the truthfulness of the same and forfeits his interest in the policy if any untrue answers are given. We submit that this practice most effectually protects the company from paying fraudulent claims.

In relation to the statement that applications were found in the files signed in the blank provided for the signature of the insured by the beneficiary and in his own name, we desire to say that, upon careful examination we found three such applications in our files, but with one exception, no insurance was in force on those applications and in the exception noted, the name of the insured was "James" and the name of the son mentioned as beneficiary was "James L." The similarity of names had prevented the discovery of the mistake. The report refers to the application of Peter Zuber, where the name of Peter Zuber was signed by D. M. Eveland. In this case no explanation seems necessary, except to say that the application was signed at the home of the insured, who requested that his name be signed by D. M. Eveland. No question can exist as to the legality of the transaction and no criticism can in justice be made by your committee.

As to the secretary holding a policy for his own benefit on the life of his brother's wife would say, the application is signed by the insured in her own hand-writing, and the medical examination is signed by a prominent physician who certifies to her good health. The fact that the policy is for the benefit of the secretary, is for the reason that the secretary is a creditor and has a right to protect himself in this, as he could in any other company.

The statistical tables reported by your committee show the income to have

been \$9,556, and the expenses \$8,395, leaving the impression that the officers consumed this amount in transacting the year's business and were evidently very extravagant or were making large profits. The figures of the committee were probably taken from the annual report to the insurance department and that report further shows as follows: Of the income above mentioned \$905 was advanced by the trustees, \$6,629 was retained by agents.

One thousand four hundred and fifty dollars and thirty-two cents of the amount was received on assessments; that only 20 per cent. of this amount used for expenses and that \$1,160.26 was placed in the mortuary fund for the payment of death claims and that \$999.66 was on hand for that purpose and that the actual amount received by the trustees for expenses was from membership fees \$570.97 and from assessments \$290.06, a total of \$861.03 and that the actual expenses paid by the trustees was \$1,195.60.

In giving the plan of the company the committee fail to state that the expenses are limited to 20 per cent of the amount paid by members on assessments, and when the expenses exceed that amount, the difference is paid by the trustees from their own pockets.

The report of your committee further shows that the amount paid to beneficiaries on each \$1,000 of liability was \$22.94, whereas the annual report to the insurance department (page 3), shows that the losses incurred and the amount paid was the same, and the ratio given by your committee should have been \$1,000 instead of \$22.94.

Your committee recommends certain legislation and in so far as its object is to regulate the business and give all kinds of companies an equal chance to compete for business we heartily concur, but we protest against the enactment of any law to prevent persons over 65 years from insuring in assessment companies, and we believe it to be directly in the interest of corporations who see in this way to obtain a monopoly of the business.

W. L. SEATON, *Pres.*,
J. H. SLATER,
WM. T. GIBSON,
G. F. RICE,
AUSTIN BLAIR,
O. J. R. HANNA,
Trustees.

Referred to the committee on insurance.

No. 1214. By Mr. Rentz: Petition of 75 business men of Detroit and vicinity asking for the passage of House bill No. 909, providing for the reduction of the exemption allowed married men in garnishee cases;

Also,

No. 1215. Petition of 1200 business men of the city of Detroit, same subject.

Referred to the committee on judiciary.

No. 1216. By Mr. Pirkins: Petition of James T. Moloney and many others against an increase of taxation upon brewing companies.

Also,

No. 1217: Petition of Paul Bittner and others, same subject.

Referred to the committee on liquor traffic.

No. 1218. By Mr. Brock: Petition of the West Bay City Brewing Co., relative to taxation.

Referred to the committee on liquor traffic.

No. 1219. By Mr. Holt: Petition of the Muskegon Brewing Company, relative to taxation.

No. 1220. By Mr. Mulvey: Petition of Meske and Hoch, relative to liquor taxation.

Referred to the committee on liquor traffic.

No. 1221. By Mr. McCormick: Petition of C. J. Bassett Post, No. 56, G. A. R., asking for the passage of House bill No. 609 (file No. 354) in reference for the field of Gettysburg.

Referred to the committee on military affairs.

No. 1222. By Mr. Eldred: Memorial of the People's Co-operative and Mutual Benefit Society of Battle Creek.

On demand of Mr. Eldred,

The memorial was read at length, and spread at large upon the journal, as follows:

To the Honorable Speaker and Members of the House of Representatives:

With reference to the report of the special committee concerning the People's Coöperative and Mutual Benefit Society of Battle Creek, as the secretary of that society I desire to reply.

First, That while I hold a proxy from all absent members allowing me to vote for them at the annual meeting for the election of officers, there is a by-law which prevents me from doing so except as instructed by a majority vote of the board of directors. Further, that at no time have I voted or used any proxy for any member.

Second, There was no intention to deceive any one in the annual report to the honorable commissioner of insurance as to the average age. The question and answer in that report is as follows:

"Question. 9. Number of classes of members of the company. Maximums, minimum, and average age of the members of each class. Maximum amount of certificates in each class."

"Answer. One—Senior class. Articles of association amended at annual meeting in March, 1886, abolishing the junior class. Senior class by articles of association includes ages from 18 years to and including 81 years. Don't propose hereafter to insure any one under 21 years. Average age on that basis 51 years. Maximum amount of certificate issued, \$2,000."

The same method of figuring was adopted in the report of 1885. The method indicated by the Legislative committee would make the average age about 65 years. The other parts of the report giving number of policies issued at different ages and number of members would go far towards correcting the mistake.

Third, The assessment notices are sent where the insured directs. We claim that a person insured has the legal right to have the assessment notices sent to his son or relative. We have been requested to send such notices to a bank where the insured had a deposit and have done so. We have had several instances where the insured went away for months and requested us to send the notices to a person, a neighbor with whom he had arranged to attend to the matter during his absence.

We claim the insured has that right. There are also many cases here at Battle Creek where the father and mother have come into the office, signed the applications, had a medical examination and stated that they desired to be insured for their children's benefit who also, under an arrangement between themselves, were to pay the assessments and that the notices were to be sent to them.

We submit they have that right.

Also in a good many of the applications the name of the insured has been signed by a son or daughter and sometimes by the agent in the presence of and by the direction of the insured, and as I understand no particular case was found by the Legislative committee where the knowledge, consent and direction had not been given except a few cases the attorney of the society had investigated and testified to them before the committee.

Our Supreme Court have decided that "the maker of a note can authorize another to sign his name to it." Is sufficient if signed in his presence and by his direction."

Sager vs. Tupper et al., 42 Mich., 605; *Coy vs. Stiner*, 53 Mich., 42.

So a signing of the mortgageor's name by another person to a real estate mortgage with the consent of the former is binding.

Boone, *Law of Mortgages*, § 8.

The same rule is true with regard to chattel mortgages.

Jones, *Chattel Mortgages*, § 52.

Certainly if this can be true concerning promissory notes, real estate and chattel mortgages the rule will hold good concerning life insurance applications.

Our society requires and has always required the knowledge and consent of the insured, and a medical examination of the insured, also that the signature of the insured should be witnessed by the agent. For the last fifteen months the "Physicians' certificate" on the back of each application has been required to state in addition to the general questions concerning different diseases, the number of "*respirations per minute*," "as to whether there is a clear sound on *auscultation* and *percussion* in both lungs, the *rate* of the *pulse* per minute, and whether it intermits," a copy of which certificate and application is hereto annexed.

Fourth.—As to the books of the society. The committee's report speaks of a "few loose sheets of paper kept on a table in the office" called a "Register."

These "loose sheets of paper" are the heaviest kind of card board ruled with red ink lines, having spaces giving the number and amount of each policy, *amount of assessment* which can be levied on the policy at any one time, age of the insured, date of policy, name and residence of insured and beneficiary. etc., and also ruled columns or spaces at the head of which is the number of each particular assessment, in which column a check mark is made when the assessment is paid, showing that the amount of assessment mentioned in another column has been paid, and thus this "Register" is a cash book in itself of all assessments and shows the amount which has been paid on each policy on any particular assessment and on all assessments.

These check marks on the "register" are made from checks sent to the members and returned by them when they pay, and there is no more liability of making a mistake checking from these checks than there would be in making an entry on any other kind of a cash book from these checks.

The committee's report rather infers that no amount is stated on the "register."

The committee in their hurried examination probably overlooked the fact.

The day the committee was here these cards were lying on a table in use for making out assessment notices, but the society has and then had a desk with drawers expressly made to contain them.

Beside this "register" the checks are listed—the numbers and amounts set down, footed up and compared and also compared with the amounts of money, drafts, etc., received on the assessment. The statement printed in the committee's report was compared with the amount which the list of checks footed up and was found to be correct. The checks are filed away for future reference should it transpire that any mistake had been made.

This system had been submitted often to members of the society and had been universally approved by them.

At the end of each assessment a printed statement is sent out (with the succeeding assessment) giving net amount of assessment and also the disbursements and balance on hand. The business of each assessment is closed at its end or certain date, and if payments on any particular assessment are received afterwards it is placed in the next assessment under the head of reinstatements.

Fifth. The treasurer of the society lived in Battle Creek when it was organized, but afterwards moved nine miles away in the country, and deputed the attorney whose office adjoins the society's office (with the sanction of the board of directors) to receive the money and disburse it. The attorney gave a responsible bond in the sum of \$5,000 to the company, which the treasurer holds. The secretary also has given bonds. Deposits have always been made in Hamblin's bank in Battle Creek. Amounts for a long time were entered in a pass book in the society's name and checked out when disbursed.

These certificates of deposit were taken instead, some of which were in the individual name of the attorney and myself.

The members were notified to pay to the secretary, and I as that officer have received most of the money taken in at the office and paid it over to the attorney, taking his receipt therefor.

Since the committee were here we have carefully looked the matter over and find that in but comparatively few instances have certificates of deposit been taken in the individual names of myself and attorney; but that they for the most part read that the deposit has been made for the benefit or rather payable to the order of the society.

Sixth. Concerning the society's paying a loss to the sister of the secretary.

Ira Mills, of Battle Creek, got himself insured, himself or estate beneficiary. He assigned one policy to Mrs. Margaret Kipp and one to Dr. J. C. Reynolds, naming them as his creditors. After Mr. Mills' death the society refused to pay the loss in that shape. The heirs of the deceased served the society with a notice not to pay. The Honorable Commissioner of Insurance came to Battle Creek and looked the matter up. He was told that the society would never pay that claim except to the persons legally entitled to it. The death occurred in February, 1886. In the fall of 1886 Mrs. Kipp settled with the heirs and received from the widow and the only son and heir of deceased an assignment of their claim against this society arising on the death of Ira Mills. As the assignment of a claim by those legally owning it after death of the insured is admissible, the directors could see no way out of it,

and a suit being threatened in which they could not see any defense, they paid the sum of \$1,000 to Mrs. Kipp as the assignee of the claim after the death of the insured.

The committee in their report say \$500 was paid. They should have said \$1,000.

This amount of \$1,000 was not paid to Mrs. Kipp until December 20th, 1886, ten months after the death of the insured.

The society never paid anything to the medical director on this claim nor did he ever present any claim on that account to the society.

About one-half of the membership is in Battle Creek and vicinity and members are in the office daily and know all about the working of the society.

Thirty-two thousand seventy-four dollars and sixty-eight cents has been paid in death losses since the organization of the society, about one-half of which amount has been paid by those residing in Battle Creek and vicinity.

The society has paid every loss so far one hundred cents on the dollar as it agreed to in the policies, except three claims resisted, and have not pro-rated and the members are well satisfied I believe

Annexed is the report of a committee appointed by the last annual meeting to investigate the affairs of the society. Every one of this committee is personally insured. A list of resolutions adopted unanimously at the annual meeting is also annexed.

Respectfully,

(L. S.)

F. G. REYNOLDS,

Secretary.

Dated, Battle Creek, Mich., May 11th, 1887.

Referred to the committee on insurance.

No. 1223. By Mr. Hoaglin: Memorial of the Standard Life Association of Marshall.

On demand of Mr. Hoaglin.

The memorial was read at length and spread at large on the journal, as follows:

To the Honorable, the Speaker of the House of Representatives of Michigan :

The committee appointed from the House of Representatives and the Senate for the purpose of making investigation and reporting the condition and method of doing business of the assessment insurance companies of the State having made such investigation and report which report has been printed and circulated through the State to the damage of certain companies; I am of the opinion that in justice to the companies a review of the testimony taken by the committee should be made, as the weight given such testimony should depend largely upon its character and the reliability of the witnesses giving it. The committee in investigating the Standard Life Association of Marshall found that certificates of insurance had been issued upon two inmates of the county poor-house of Calhoun county for the benefit of the keeper of said house; this fact has been circulated through the press of the State as proof of the rottenness of the Standard Life Association, also as proof that its officers were double dyed villains and only fit subjects for positions behind prison-bars. Let us have the facts as they are that the jury may decide to whom the blame should attach.

I accepted the position of secretary of the Standard Life Association immediately after the resignation of the former secretary, Mr. F. E. Wetmore, which was tendered the board of trustees and accepted by them on April 9, 1886. The books of the association, or a portion of them, were at that time

turned over to the board of trustees by F. E. Wetmore. I found no record of the death of Mrs. Snow and knew nothing of the matter only as it appeared on the treasurer's books as having been paid. The full record of the Mary Tracy certificate being in the office the facts can be given. Mrs. Lottie B. Wetmore being sworn testifies to having written the application that Mr. Parkis signed the name of Mary Tracy, and that by her consent. The following questions were asked and answered:

Q. These two parties whose application you received, who were living at the poor-house, you did not see them yourself at the time?

A. No, sir.

Q. All you know about what their health and condition was is what the beneficiary told you?

A. Yes, sir.

Q. There was no examining physician except the medical director here?

A. I think not.

Q. Dr. Houston filled out the physician's certificate?

A. Yes, sir.

Q. And approved the medical examination?

A. Yes, as medical director.

Now for the facts. The application shows the party (Mary Tracy) to be 64 years old; her occupation housework, that she is free from disease or infirmities, and that her postoffice address is Marshall, Jalhoun county, Mich. That is very indefinite as to place of residence, as the mail from the Marshall postoffice is distributed over the territory for several miles from that city, and the person would be a shrewd guesser that would locate the party in the poor-house the first time.

The application has upon its back a physician's certificate properly filled, giving the physical condition of the party (Mary Tracy), placing it as first-class, and recommending the risk to the association; this certificate is signed by Henry L. Joy, M. D.

Henry L. Joy was sworn and testified that he was the attending physician at the poor-house, and had been for fifteen years; that Mary Tracy had been an inmate for five or six years, and that he *understood* that Mr. Parkis had an insurance on her life.

Now I submit this question without further comment.

Who did the *disreputable poor-house* business? The Standard Life Association, or Mrs. Lottie B. Wetmore, W. G. Parkis and Henry L. Joy who certified to the physical condition of the party and recommended the risk, he being the poor-house physician and knowing her dependent condition.

These witnesses were examined by Mr. Cross. The first question asked Mrs. Lottie B. Wetmore relative to this poor-house business was: Q. "Will you tell me if you solicited the application of Mary Tracy for the benefit of W. G. Parkis?" This question shows that he had some knowledge of this business before examining this witness. Where did he get this knowledge? Did he get it from the attorney of the city of Marshall who rendered valuable assistance to the committee while making their investigation; or did he get it from the records in the office? We will assume that he had the office records, and to make certain of the fact we will go to the testimony of Henry L. Joy and we find the following:

By Mr. Cross—What was the immediate cause of her (Mary Tracy's) death?

A. My impression is that this Mary Tracy met with an accident; fell from a chair and broke her hip and the shock she never recovered from.

Q. Fell from a chair?

A. I think that is the one.

A. By Mr. Cross—That is the statement you made in the death proof?

This shows the records from the office to have been in the hands of the committee. Did the committee having these records, among which was the original application with the physician's certificate signed by Henry L. Joy, accept the testimony of Lottie B. Wetmore (knowing it to be false), that I. W. Houston, medical director of this association, filed said certificate, and use it in making an impartial report of the business of the Standard Life Association of Marshall? Lottie B. Wetmore testifies to the manner of taking applications, and says she wrote sixty applications, or about that, and that forty of those insured knew nothing about being insured. On examination of all applications on file in the office written while this witness was connected with the company I find eighteen applications with her name signed as agent; a difference of about forty between her sworn statement and the facts as shown by the record. I find by examining this report that Mr. Cross is desirous of not only getting at the facts as to business done at that time, but the manner of doing it at present. To ascertain that he asks this witness the following question: "Have you any reason to believe that the company is pursuing any different course now than when you were there?"

"A. No, sir. They are appointing most every one that takes out a policy an agent, and the same agents that were in the company when I was there are there now, and I don't think they would do any different now from what they did then."

Both statements in this answer are untrue; the practice of appointing those taking policies as agents has not been that of the association since my connection with it, and nearly all agents now doing business for the company have been appointed since April 9th, 1886, most of those employed at that time having stopped work or been discharged.

It has been reported that C. P. Aldrich was connected with the Standard Life Association at the time the above poor house business was done. I find by examining the records that the money of the association was turned over to him by the former treasurer on April 9th, 1886, fifteen days after the certificate on the life of Mary Tracy was issued.

I find in the report of the committee several tables one of which is marked "D" which gives a record of the business done by companies taking risks over sixty-five years of age. This table shows the Standard Life Association of Marshall to have paid one hundred and fifty-two dollars and eighty-seven cents on each one thousand dollars insurance.

The certificates of the Standard Association state the condition of payment plainly in the body of the contract or certificate among which are the following: If death occurs within eight months of the date of the certificate, the association is not liable for more than two hundred and fifty dollars on each one thousand dollars; if after eight months and within fourteen months, not more than five hundred dollars on each one thousand dollars; if after fourteen months and within eighteen months not more than seven hundred and fifty dollars; and after eighteen months, not to exceed one thousand dollars on each thousand dollars named in the certificate.

The amount of insurance on any one life is shown by the length of time

the certificate has run, and the face value of any claim cannot be more than the amount specified in the certificate which is shown by the length of time it has run, unless it has been issued eighteen months or more.

The Standard Life Association paid their claims in full according to contracts fairly made in 1886, and not one hundred and fifty-two dollars as made to appear in the committee's report.

J. L. KINYON,
Sec. S. L. Ass'n.

Looking over the committee's report I find the following: The causes of failure of so many of this class of corporations in Michigan may, perhaps, be deduced from this table. When in round numbers two millions of dollars are required to pay one million dollars of death claims, when the rates of expenses to income ranges through the ordinary scale of from seven to ninety-nine per cent of the total income with a general average of fifty-three per cent for expenses alone, it would indicate a degree of recklessness in the management which would be fatal to their existence of any commercial institution. The magnitude of the business transacted, however, would clearly indicate a strong popular demand for life insurance upon the assessment plan which would be the proper province of legislation to supply. The above assumption would seem to the casual observer to be very plain and without a knowledge of the business I think any one would say that it is true; but I will not insult the committee by thinking for a moment that their knowledge of the business of life insurance was so limited that they did not know that their carefully prepared table did not show any such thing. We will go over this table and see to what extent it shows a reckless management. Nearly all of these companies in table "D" had up to Dec. 31, 1886, been doing business less than two years; nearly all of them, if not all, issued a certificate that increases in value at stated periods ranging from sixty days to three years; that in all companies that exercise a reasonable degree of caution in the selection of their risks the death claim will be few and the necessity for assessments to pay death losses will not exist to any great extent for the first two or three years, and that with the age of the company the ratio of expenses to income under a proper management will grow less. As a matter of fact the company that is the most careful in selecting its risks, will, from the committee's stand point, exhibit the greatest degree of recklessness and dishonesty in its management during the first few years of its existence.

The commission to agents is the most prominent item in the expense account of any new company and is always largely in excess of the money actually received by the companies and paid to their agents for soliciting. In reporting to the commissioner of insurance a company is required to give the amount received on membership fees or advance payments which amount is usually given for the full amount as fixed by the companies as first payment on application, always assuming that the agent collected the full amount. I think I would be safe in saying that no more than seventy-five per cent of the amount reported as paid on membership fees is ever collected by the agents, but it always enters into the expense account and does its work in assisting an unprejudiced committee in making an impartial report on the reckless and dishonest management of the monsters in human form who happen to be connected with the co-operative or assessment insurance companies in an official capacity.

J. L. KINYON, *Sec. S. L. A.*

Referred to the committee on insurance.

No. 1224. By Mr. Hill: Petition relative to sale of liquor by druggists.

On demand of Mr. Hill the petition was read at length, and spread at large on the journal, as follows:

To the Honorable, the Legislature of Michigan:

We, the undersigned, members of the Clinton County Druggists Association, hereby petition your honorable body to strike out of the bill now pending before you for the taxation of the liquor traffic that clause which requires druggists to pay a tax on the business of selling intoxicating liquors. We ask this for the reasons set forth in the memorial to the Legislature presented by the State Pharmaceutical Association.

A. O. HUNT.
M. McDONALD,
F. A. TRAVIS,
FILDEW & SON,
ALEX. S. WALLACE,
S. M. POST, M. D.

May 2d, 1887.

Referred to the committee on liquor traffic.

REPORTS OF STANDING COMMITTEES.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 36, file No. 140, entitled

A bill making an appropriation for the use and maintenance of the university of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered re-printed, referred to the committee of the whole and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 43 (file No. 186), entitled,

A bill to amend section two of an act entitled, "An act making appropriations for the expenses of the State officers and State government for the years 1885 and 1886 and to provide a tax for the payment of the same," approved June 14, 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, Jones and Lincoln dissenting, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 220 (file No. 151), entitled

A bill to amend section 5 of act 31 of the public acts of 1848, being compiler's section 5394 of Howell's annotated statutes, relative to the sale and reclamation of swamp lands and securing the preëmption of settlers, as amended by act No. 181 of the public acts of 1885, approved June 10, 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, Messrs. Jones and Lincoln dissenting, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary,

The committee on judiciary, to whom was referred

House bill No. 352, entitled

A bill to amend sections 8031, 8032, 8034, 8035, 8036, 8038, 8040, 8047, 8048 and 8054 of Howell's annotated statutes, being sections 1, 2, 4, 5, 6, 8, 10, 17, 18 and 24 of chapter 276 of said statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Simpson,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House joint resolution No. 3, entitled

Joint resolution to amend section one of article seven of the constitution of this State, relative to elections,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The joint resolution was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 11 (file No. 5), entitled

A bill for the requiring of a civil license in order to marry and the due registration of the same, and to provide a penalty for the violation of the provisions of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 192, entitled

A bill to amend section 9 of act No. 123 of the session laws of 1883, approved May 25, 1883, and which was an act to amend section 9 of act 58 of the session laws of 1871, approved March 29, 1871, being compiler's section 2290, relative to the corporate rights of trust, deposit and security companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRITT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The bill was laid upon the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 742, entitled

A bill to amend section two of an act entitled "An act requiring compensation for causing death by wrongful act, neglect or default," approved February 12, 1848, being section 8314 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 33, entitled

A bill relative to fees of notaries on protest notices on notes and bills of exchange,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pierce,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred
House bill No. 912, entitled

A bill to amend section No. 7 of act No. 109 of the session laws of 1848, entitled "An act to exempt a homestead from forced sale in certain cases, as amended by act No. 144 of the session laws of 1850, being compiler's section No. 7727 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT R. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Haskins,
The bill was laid on the table.

By the committee on judiciary :

The committee on judiciary, to whom was referred
House bill No. 332, entitled

A bill to amend section 2 of act No. 137 of the session laws of 1849, the same being compiler's section No. 8032 of Howell's annotated statutes of Michigan, relative to proceedings against garnishees,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,
The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred
House bill No. 874, entitled

A bill to amend section 8036 of Howell's annotated statutes relative to garnishee in justice courts.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,
The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred
House bill No. 416, entitled,

A bill to amend sections No. 8026, 8027, 8028 and 8029 of chapter 275, of title 32, of Howell's annotated statutes of the State of Michigan in relation to the dissolution of attachments,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

G. J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Haskin,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 144, entitled

A bill to amend sections 20 and 21 of chapter 244 of compiled laws of 1871, being compiler's sections 9094 and 9095, Howell's annotated, statutes, relative to offences against the lives and persons of individuals,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 254 (file No. 75), entitled

A bill to amend section 2, chapter 53, of the compiled laws of 1871, relative to disorderly persons, as amended by act 136 of the public acts of 1883, approved May 31, 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 140, entitled

A bill to provide for coupling freight cars not provided for in act No. 147 session laws of 1885,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Holt,

The bill was laid on the table.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 534 (file No. 161), entitled

A bill to amend section 9 of act 198 session laws of 1873, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management and to fix the duties and liabilities of all railroads and other corporations owning or operating any railroads in this State, as amended by act No. 177, session laws of 1877, and by act No. 116 session laws of 1883, being section 3323 of Howell's annotated statutes of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with certain amendments and without recommendation, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Haskin,

The house concurred with amendments made to the bill by the committee.

On motion of Mr. Haskins,

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 18, entitled

A bill to regulate the speed of railroad trains within the limits of the city of Detroit, and to erect gaits or maintain flagmen at all crossings on the line of such roads,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY L. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wood,

The bill was laid on the table.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 708, entitled

A bill to amend section 9 of article 2 of act No. 198, of the session laws of 1873, relative to railroad companies,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend section nine (9) of article two of act number one hundred and ninety-eight of the session laws of eighteen hundred and seventy-three, being an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," as amended by act number one hundred and seventy-seven, session laws of eighteen hundred and seventy-seven, and act number one hundred and sixteen, public acts of eighteen hundred and eighty-three,

A majority of the committee, (Messrs. Holt and Lakey dissenting) recommending that the substitute be concurred in, and that the substitute

do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rentz,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

House bill No. 189, entitled

A bill to amend act No. 147, session laws of 1885, approved June 5, 1885, entitled "An act to provide for the introduction and use on all cars owned and operated by any railroad company or other corporation doing business in this State of some form of automatic car coupling by means of which all cars may be coupled and uncoupled without the necessity of the brakeman or any other person passing between the cars,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

HENRY H. HOLT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wood,

The bill was laid on the table.

By the committee on labor interests:

The committee on labor interests, to whom was referred

House bill No. 601, entitled

A bill to make election days legal holidays,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

GEORGE OVIATT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

Senate bill No. 452 (file No. 185), entitled

A bill to amend section 6 of chapter 7 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing and preservation of bridges within this State," approved June 8, 1884, being section 1384 of Howell's annotated statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred

Senate bill No. 213 (file No. 145) entitled

A bill to amend section 8 of act number 203 of the public acts of 1877, entitled, An act relative to dividing townships and villages into election districts and to provide for the registration of electors in such cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

A. D. ELDRED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Eldred,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred

House bill No. 866, entitled

A bill to protect primary elections and conventions of political parties and to punish offenses committed thereat in the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment and without recommendation, and ask to be discharged from the further consideration of the subject.

A. D. ELDRED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rentz,

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on manufactures:

The committee on manufactures, to whom was referred

House bill No. 493, entitled,

A bill to amend section 3, of act No. 78, of the session laws of 1883, entitled, "An act to authorize the incorporation of manufacturers' mutual fire insurance companies," approved May 10th, 1883, and to add four new sections to said act to be designated as sections 17, 18, 19 and 20,

Respectfully report the same back to the House, in compliance with a resolution of the House.

JAMES A. GREEN, *Chairman.*

Report accepted and committee discharged

The bill was referred to the committee on insurance.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 587 (file No. 200), entitled

An act for the incorporation of companies for the purpose of buying and selling brood animals.

Also,

House bill No. 395 (manuscript) entitled

An act to provide for the election of collectors of taxes for the several wards of the city of Grand Rapids, and to prescribe the duties of such collectors.

Also,

House bill No. 586 (file No. 254), entitled

An act making an appropriation for the purchase of books for the State library and for other purposes pertaining to the State library, for the years 1887 and 1888.

Also,

House bill No. 904 (manuscript), entitled

An act to amend sections 4, 87 and 215 of act No. 215, session laws of 1859, entitled "An act to incorporate the city of Owosso," approved Feb. 15, 1859, and all subsequent amendments of said sections.

Also,

House bill No. 548 (file No. 246), entitled

An act making appropriations for the institution for educating the deaf and dumb, for the years 1887 and 1888.

ROBERT Y. OGG, *Chairman*.

Report accepted.

GENERAL ORDER.

On motion of Mr. Herrington,

The House went into committee of the whole on the general order,

With the Speaker in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following:

House bill No. 79 (file No. 393), entitled

A bill making an appropriation for the support of the State Agricultural College, for the erection and repair of buildings and other improvements at said college for the years 1787 and 1888,

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

D. P. MARKEY, *Chairman*.

Report accepted and committee discharged.

The question being on concurring in the amendments made to the bill by the committee,

Mr. Ogg demanded the yeas and nays.

The demand was seconded, and the amendments were concurred in by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Cross,	Mr. Hunt,	Mr. Rentz,
Ashton,	Damon,	Linton,	Robinson, J. W.
Baker, S.,	Diekema,	Makelim,	Rumsey,
Baker, W. A.,	Dillon,	Manly,	Simpson,
Bardwell,	Dunbar,	McCormick,	Snow,

Mr. Bates,	Mr. Goodrich,	Mr. McKie,	Mr. Spencer.
Beecher,	Harper,	McMillan,	Tindall,
Cannon,	Herrington,	Oviatt,	Vickary,
Case,	Hill,	Perkins,	Washburn,
Chamberlain,	Holt,	Pettit,	Watson F.H.,
Chapell,	Hoaford,	Preston,	Wood,
Crocker,	Houk,	Reader,	Speaker, 48

NAYS.

Mr. Anderson,	Mr. Dickson,	Mr. Ogg,	Mr. Stuart,
Baldwin,	Engleman,	O'Keefe,	VanOrthwick,
Baumgardner,	Grenell,	Pardee,	Vroman,
Bentley,	Hoaglin,	Pierce,	Watson II.,
Breen,	Hoobler,	Powers,	Watts,
Burr,	Killean,	Robinson, R.,	Webber,
Chapman,	Lincoln,	Rogers,	Wellman,
Cole,	McGregor,	Rounsaville,	Wilson, 32

On motion of Mr. Webber,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Houk,	Mr. Preston,
Allen,	Cole,	Hunt,	Reader,
Ashton,	Crocker,	Kelley,	Rentz,
Baker, S.,	Cross,	Killean,	Robinson, J.W.
Baker, W. A.	Damon,	Kirby,	Rumsey,
Baldwin,	Dickson,	Lincoln,	Simpson,
Bardwell,	Dillon,	Linton,	Snow,
Bates,	Dunbar,	Manly,	Spencer,
Baumgardner,	Goodrich,	McCormick,	Tindall,
Beecher,	Green,	McKie,	VanOrthwick,
Bettinger,	Grenell,	McMillan,	Vickary,
Bentley,	Haskin,	Mulvey,	Washburn,
Breen,	Herrington,	O'Keefe,	Watson, F. H.
Brock,	Hill,	Oviatt,	Watson, H.
Cannon,	Hoaglin,	Pettit,	Wilson,
Case,	Holt,	Pierce,	Wood,
Chamberlain,	Hoobler,	Powers,	Speaker, 70
Chapell,	Hoaford,		

NAYS.

Mr. Burr,	Mr. Robinson, R.,	Mr. Webber,	8
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Title agreed to.

On motion of Mr. Chapman,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

Mr. Rounsaville moved to take from the table

House bill No. 304 (file No. 327), entitled,

A bill to amend sections 7 and 8 of an act entitled "An act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State," being sections 2155 and 2156 of Howell's annotated statutes, as amended by act No. 202 of the session laws of 1877, approved May 23, 1877,

Which motion prevailed.

On motion of Mr. Rounsville,

The bill was referred to the committee on the judiciary.

Mr. Breen moved to take from the table

House bill No. 505 (file No. 182), entitled

A bill to provide for the election of a mine inspector for each county possessing mines, and for his duties; also, to prevent the employment of any person under 16 years of age in any mine, and to reduce the hours of labor in any mine to eight hours per day,

Which motion prevailed.

On motion of Mr. Breen,

The bill was referred to the committee on labor interests.

On motion of Mr. Cross,

The House took up

COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

INSURANCE BUREAU, }
Lansing, May 7, 1887. }

Hon. Daniel P. Markey, Speaker of the House of Representatives:

SIR—In response to the following resolution adopted by the House of Representative and which was received by me on the 4th instant, viz:

Resolved, That the commissioner of insurance is hereby requested to report to this House at his earliest convenience as follows:

First, A list of all companies organized under any law of this State for mutual life insurance that have made a satisfactory annual report since January 1, 1887;

Second, A list of all companies organized under any law of this State for mutual life insurance that have not made such report;

Third, The reason why those companies making no report, or an unsatisfactory report, have not been stopped from doing further business;

Fourth, What in his opinion, if any, legislation is necessary to give to the Insurance Department full control of companies doing a fraudulent or dishonest business.

I respectfully submit the following report:

First, "A list of all companies organized under any law of this State for mutual life insurance that have made satisfactory annual report since Jan. 1, 1887:"

Names of Association.	Location.
American Mutual Benefit Association.....	Bellevue
Central Michigan Life Association.....	Marshall
Commercial Mutual Association.....	Detroit
Detroit Mutual Benefit Association.....	Detroit
Equable Mutual Life.....	Lansing
Equitable Life Association.....	Homer
Fidelity Relief and Indemnity Association.....	Detroit

Name of Association.	Location.
Knights Militant—Beneficiary department.....	Detroit
Industrial Mutual Benefit Association.....	Corunna
Loyal Life Association.....	Reading
Masonic Mutual Association of Western Michigan.....	Grand Rapids
Michigan Equitable Life Association.....	Sturgis
Michigan Mutual Benefit Association.....	Hillsdale
Mutual Life.....	Mason
Northwestern Mutual Benefit Association.....	Detroit
Odd Fellows' Co-operative and M. B. League.....	Flint
Old Peoples' Life Insurance Company of Jackson.....	Jackson
Old Peoples' Mutual Benefit Society.....	Benton Harbor
Peninsular Masonic Aid Association.....	Caro
Peninsular State Mutual Benefit Association.....	Ithaca
Peoples' Co-operative and Mutual Benefit Society.....	Battle Creek
Protective Life Ass'n.....	Lansing
Provident Benefit Ass'n of North America.....	Detroit
Southern Michigan Mutual Ass'n.....	Union City
Standard Life Ass'n.....	Marshall
Union Mutual Ass'n.....	Detroit
Universal Relief and Indemnity Ass'n.....	Detroit
Western Union Life and Accident Society of the United States.....	Detroit

Second, "A list of all companies organized under any law of this State that have not made such reports:"

Lansing Mutual Benefit Association.....	Lansing
National Accident Association.....	Detroit
People's Accident Association.....	Kalamazoo
Patron's Aid Society.....	Schoolcraft
Knights of Columbia.....	Detroit
State Life Association.....	Kalamazoo
Jackson Life and Mutual Benefit Association.....	Jackson
Grand Rapids Mutual Benefit Association.....	Grand Rapids
American Mutual Association.....	Detroit
Sons of Industry.....	Detroit
Marshall Mutual Aid Association.....	Marshall
Covenant Mutual Benefit Association.....	Grand Rapids
Farmers' Mutual Benefit Association.....	Marshall
Ionia Co-operative Mutual Benefit Association.....	Ionia
Eaton Rapids Mutual Life Association.....	Eaton Rapids
Soldiers' Mutual Aid and Life Association.....	St. Louis
Funeral Benefit Association.....	Detroit
Valley City Mutual.....	Grand Rapids
Odd Fellows' National Relief Association.....	Detroit
Mutual Sickness and Accident Association.....	Reading
Michigan Aid Association.....	Kalamazoo
Reserve Mutual Life Association.....	Grand Rapids
Graded Michigan Aid Association.....	Kalamazoo
Mutual Guarantee Fund Life Association.....	Lansing
Michigan Masonic Aid Association.....	Lansing

The foregoing lists contain only the names of those associations organized

under chapter 94 of the compiled laws of 1871, which have complied with the provisions of act 192 of the public acts of 1883. Of the corporations organized prior to and since the passage of said act, which have not complied with its provisions, the commissioner of insurance has no knowledge, except that derived from the report of the Secretary of State to the Legislature.

Third, "The reason why those companies making no report have not been stopped from doing further business."

The commissioner has reason to believe that of the associations which have failed to report all but three have stopped doing further business and have also ceased to exist; of those, two are of a fraternal nature, and one has been consolidated with another under act No. 48, session laws of 1883.

The question as to satisfactory or unsatisfactory reports is somewhat indefinite and is susceptible of different construction, while the reports filed in this bureau by the associations in question may entirely satisfy the requirements of the law as it now stands, they may be quite unsatisfactory to the members of the association.

Chapter 94 is entirely silent as to the manner by which associations organized under its provisions may be closed up. Act 192, of the session laws of 1883, provides that the commissioner of insurance if he has reason to suspect the solvency of any association, may after an examination of such association, if he finds that it is in an insolvent condition or is conducting its business fraudulently, revoke its authority, but fails to provide any way for winding up its affairs in an equitable manner. The summary closing up of an association by revocation of authority may prove a great hardship to many worthy people, who are desirous of securing such indemnity as is afforded by these corporations. Those who have used them for speculative purposes deserve no sympathy.

The contracts of these associations are in the main so carefully worded that the payment of them in accordance with their terms is an easy matter, and a corporation which carries out its contracts cannot be considered insolvent. The annual statements filed are made in conformity with the present law and satisfy its requirements, and do not bear upon their face such evidence of fraud as would justify the commissioner in revoking the authority before granted, without examination.

The daily routine work of this office and the limited clerical force allowed in this department bar the commissioner from investigating these associations as thoroughly as he would like to do, especially while his annual report is in press, and the daily demands of more than 250 other companies now authorized to do business in the State, seem to require the attention of the whole force.

Fourth. "What in his opinion, if any, legislation is necessary to give the Insurance Department full control of companies doing a fraudulent business."

To any person who has carefully read the existing loosely constructed laws relating to assessment life and accident insurance and the report of the legislative committee of investigation, it must be apparent that stringent legislation is an imperative necessity.

To give the Insurance Department full control of associations doing *fraudulent* business, it must be given control of all associations transacting life and accident insurance business on the assessment plan, organized under the laws of this State for profit.

To attain this end it is necessary that a law be enacted which, beginning

with the organization of the association shall, in its provisions throw about the corporation and its business such safeguards that both the association and the people shall be protected from fraudulent and dishonest management.

In my opinion the law should provide:

First, For a thorough organization subject to the approval of the Attorney General and the commissioner of insurance, and permitting no association to commence issuing certificates of membership or policies until a certain number of applications for insurance have been made in good faith, covering a certain amount of insurance and upon which a stated sum of money has been paid in advance.

Second, That no application for insurance shall be accepted unless signed by the applicant in presence of a witness and having attached thereto a reputable physician's certificate approved by the medical director of the association.

Third, That all certificates of membership or policies shall be written for a specified sum to be paid to the beneficiary named therein, said beneficiary to be some person having an undoubted insurable interest in the life of the person insured.

Fourth, That no certificate or policy shall be written on the life of a person who by reason of old age is not insurable (not to exceed 60 or 65 years) or on the life of a person incapable in law of making contracts.

Fifth, For an emergency or reserve fund, at least equal to the maximum amount named in certificate of membership or policy; which fund should be deposited in some incorporated bank of this State, or with the State treasurer in the corporate name of the association, or invested in such securities (bearing interest) as insurance companies are permitted to invest, and deposited with the State treasurer in trust under certain conditions and restrictions.

Sixth, For a penalty to be enforced against any agent, examining physician or medical director, who make any fraudulent or untrue statement regarding any application for membership or insurance.

Seventh, For winding up the business of associations in an equitable manner by a receiver, or by such other means as may seem expedient and just.

Eighth, For examinations by the commissioner of insurance on suspicion of insolvency or fraudulent conduct, and for the payment of his expenses incurred in making such examinations.

I have carefully examined House bill No. 739 in its several provisions, and I am of the opinion that its enactment by the Legislature will place in the hands of the commissioner of insurance the necessary authority to enable him to correct the abuses now existing from which the present law affords no relief, and effectually wipe out the reproach cast upon legitimate assessment insurance in this State.

Respectfully,

HENRY S. RAYMOND,

Commissioner of Insurance.

On motion of Mr. W. A. Baker, the communication was laid on the table.
The House took up

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,
Lansing, May 10, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to re-transmit the following bill:

Senate bill No. 55 (file No. 48), entitled

A bill making an appropriation for the asylum for insane criminals,
Which the House amended as follows, as shown by former message:

1. By striking out of line 4 section 1, the words "three hundred and twenty-five" and inserting in lieu thereof the words "two hundred and fifty;"

2. By striking out of line 5 section 1, the word "hair;"

3. By striking out of line 6 section 1, the words "three hundred" and inserting in lieu thereof the words "two hundred;"

4. By striking out of line 9 section 1, the word "skilled;"

5. By striking out of section 1, and commencing in line 17, the following:
"And that the further sum of one hundred dollars be and is hereby appropriated out of the general fund for pillows and bedding for twenty-five beds;"

6. By striking out, commencing in line 18, section 1, the following: "And that the further sum of one hundred dollars be and is hereby appropriated out of the general fund for pictures for wards;"

7. By striking out of line 2 section 2, the words, "four hundred and ten dollars." and inserting in lieu thereof the words, "and thirty-five dollars;"

And in which fourth named amendment the Senate has concurred, but has non-concurred in the 1st, 2d, 3d, 5th, 6th and 7th named amendments; on which last named amendments the House has insisted, as shown by its message of the 9th inst.;

And now to inform the House that Senators Palmer, Deyo and Laing have been appointed as a committee of conference on the part of the Senate and that the Senate requests the appointment of a like committee on the part of the House, to whom shall be referred the matters of difference between the two Houses concerning said bill.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

On motion of Mr. Rumsey,

The request of the Senate for a committee of conference relative to the difference existing between the two Houses in regard to the bill, was granted.

The Speaker appointed as such committee on the part of the House, Messrs. Rumsey, Chapman and Herrington.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, May 10, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to request the House to return to the Senate the following bills:

1. House bill No. 58 (file No. 123), entitled

A bill to provide for laying out and establishing a State road in Bay county, to be known as "The Bay City and Au Sable State road extension."

2. House bill No. 61 (file No. 64), entitled

A bill to amend the title of act number three hundred and seventy-nine of the local acts of the legislature of the State of Michigan for the year 1885, and to amend section two of said act, being an act entitled "An act to authorize the county of Bay to buy and maintain or build a bridge across the Saginaw river.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Mr. Brock moved to take the two named bills from the table.

Which motion prevailed.

On motion of Mr. Brock,

The request of the Senate for the return of the two bills was granted, and the clerk directed to act accordingly.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 10, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 508, entitled

A bill to revise and amend the charter of the village of Vicksburg in the county of Kalamazo',

And to inform the House that the Senate has amended the same as follows:

1. By re-numbering section 2, so as to stand amended as section 1;
2. By prefixing to amended section 1 the words "*The People of the State of Michigan enact, That.*"
3. By re-numbering the rest of the amended sections in order after amended section one.

And further to inform the House that the Senate has amended the title to the bill so as to read as follows:

A bill to revise and amend act No. 305 of the local acts of 1883, entitled "An act to re-incorporate the village of Vicksburg, approved May 18, 1883.

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Laid over one day under the rules.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 10, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 70 (file No. 119), entitled

A bill authorizing the board of trustees of the Northern Michigan asylum for the insane to purchase certain lands for the use and benefit of said asylum, and making an appropriation for the payment thereof.

And to inform the House that the Senate has amended the same, as follows, viz:

1. By inserting in line 2 of section 2 after the word "money" the words "in the general fund;"

2. By adding the following to stand as section 3;

"Sec. 3. The auditor general shall add to and incorporate in the State tax for the year 1887, the sum of three thousand eight hundred and six dollars and seventeen cents, to be assessed, levied and collected as other State taxes are assessed, levied and collected, which sum when collected shall be credited

to the general fund to reimburse it for the sums appropriated by section two of this act."

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Goodrich moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day.

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Goodrich,

The House concurred, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Jones,	Mr. Robinson, R.,
Allen,	Damon,	Kelley,	Rogers,
Ashton,	Dickson,	Killeen,	Rounsvelle,
Baker, W. A.,	Dillon,	Kirby,	Rumsey,
Baldwin,	Dunbar,	Manly,	Simpson,
Bardwell,	Engleman,	McCormick,	Spencer,
Bates,	Goodrich,	McKie,	Stuart,
Baumgardner,	Green,	McMillan,	Tindall,
Beecher,	Grenell,	Mulvey,	Van Orthwick,
Bettinger,	Harper,	Ogg,	Vickary,
Bentley,	Haskin,	O'Keefe,	Vroman,
Brock,	Herrington,	Oviatt,	Washburn,
Burr,	Hoaglin,	Pardee,	Watson, H.,
Canlon,	Holt,	Pettit,	Watts,
Case,	Hoobler,	Pierce,	Webber,
Chamberlain,	Hosford,	Reader,	Wilson,
Chapell,	Houk,	Rentz,	Speaker,
Crocker,	Hunt,	Robinson, J. W.	71

NAYS.

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On motion of Mr. Goodrich,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 10, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 446 (file No. 241), entitled

A bill making an appropriation for the current expenses of the Michigan Soldiers' Home, and other expenses necessary to the maintenance and improvement thereof, for the years 1887 and 1888,

And to inform the House that the Senate has amended the same as follows:

By inserting in line 4 of section 3 after the word "cents" the words "To be assessed, levied and collected as other state taxes are assessed, levied and collected."

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Manly moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day.

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Manly,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Makelim,	Mr. Robinson, R.,
Allen,	Damon,	Manly,	Rogers,
Baldwin,	Dickson,	McCormick,	Rounsville,
Bardwell,	Eldred,	McGregor,	Rumsey,
Bates,	Engleman,	McKie,	Simpson,
Baumgardner,	Goodrich,	McMillan,	Spencer,
Beecher,	Green,	Mulvey,	Stuart,
Bettinger,	Harper,	Ogg,	Tindall,
Bentley.	Haskin,	O'Keefe,	VanOrthwick,
Breen,	Herrington,	Oviatt,	Vickary,
Brock,	Hoaglin,	Pardee,	Vroman,
Burr,	Holt,	Perkins,	Washburn,
Cannon,	Hoobler,	Pettit,	Watson, F. H.,
Case,	Hosford,	Pierce,	Watson, H. W.
Chamberlain,	Hunt,	Powers,	Webber,
Chapell,	Jones,	Preston,	Wellman,
Chapman,	Killeen,	Reader,	Wilson,
Cole,	Kirby,	Rentz,	Wood,
Crocker,	Linton,	Robinson, J. W.	Speaker 76

NAYS.

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

On motion of Mr. Diekema,

House bill No. 58 (file No. 174), entitled

A bill to abolish the board of corrections and charities,

Which had been heretofore made the special order for this afternoon, was made the special order for Tuesday, May 17th at 2:15 P. M., two-thirds of the members present voting therefor.

On motion of Mr. McMillan

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, May 11, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State:

House bill No. 94 (file No. 46), entitled

A bill to amend section 1 of act No. 1 of the public acts of 1873, entitled "An act to amend section 14 of an act entitled 'An act to provide for the organization of the supreme court, pursuant to section 2 of article 6 of the constitution.' " approved February 16, 1857, being compiler's section 6393 of Howell's annotated statutes of Michigan.

Also,

House bill No. 395, being

An act to provide for the election of collectors of taxes for the several wards of the city of Grand Rapids, and to prescribe the duties of such collectors.

Also,

House bill No. 586 (file No. 254), being

An act making an appropriation for the purchase of books for the State library, and for other purposes pertaining to the State library for the years 1887 and 1888.

Also,

House bill No. 548 (file No. 246), entitled

An act making appropriations for the institution for educating the deaf and dumb for the years 1887 and 1888.

C. G. LUCE, Governor.

The message was laid on the table.

SPECIAL ORDER.

On motion of Mr. Bates,

The House went into committee of the whole, on the special order, Whereupon the Speaker called Mr. Chapman to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 504 (file No. 371), entitled

A bill to revise, consolidate and amend the liquor law of this State,

Have made sundry amendments thereto and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

A. R. CHAPMAN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bates,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Grennell,

The bill was then ordered printed in the journal and placed on the order of third reading.

The following is the bill:

A bill to revise, consolidate and amend the liquor laws of this State.

“SECTION 1. *The People of the State of Michigan enact*, That in all townships, cities and villages of this State there shall be paid annually the following tax upon the business of manufacturing, selling or keeping for sale, by all persons whose business, in whole or in part consists in selling or keeping for sale, or manufacturing distilled or malt liquors, or mixed liquors, as follows: Upon the business of selling or offering for sale spirituous or intoxicating liquors, or mixed liquors, by retail, or any mixture or compound, excepting proprietary patent medicines, which in whole or in part consist of spirituous or intoxicating liquors, or any malt, brewed, or fermented liquors, five hundred dollars per annum; upon the basis of selling brewed or malt liquors at wholesale, or at wholesale and retail, five hundred dollars per annum; upon the business of selling spirituous or intoxicating liquors at wholesale of five hundred dollars; or at wholesale and retail, eight hundred dollars per annum; upon the business of manufacturing brewed or malt liquors for sale, sixty-five dollars per annum; upon the business of manufacturing for sale spirituous or intoxicating liquors, eight hundred dollars per annum. No person paying a tax on spirituous or intoxicating liquors under this act shall be liable to pay any tax on the sale of malt, brewed or fermented liquors. No person paying a manufacturer's tax on brewed or malt liquors under this act shall be liable to pay a wholesale dealer's tax on the same. The tax, either on the business of selling at retail or wholesale or on the business of manufacturing, shall be a lien on the stock and fixtures of any saloon, bar-room, brewery, or distillery, and the same shall be subject to seizure and sale at any time after such tax shall have been due and unpaid for a period of ten days.

SEC. 2. Retail dealers of spirituous or intoxicating liquors, and brewed, malt, and fermented liquors, shall be held and deemed to include all persons who sell by the drink, and in quantities of five gallons or less, or one dozen quart bottles or less, at any one time, to any person or persons. Wholesale dealers shall be held and deemed to mean and include all persons who sell or offer for sale such liquors and beverages in quantities of more than five gallons, or more than one dozen quart bottles, at any one time, to any per-

son or persons. No tax imposed under this act shall be required from any person for selling any wine or cider made from fruits grown or gathered in this State, unless such wine or cider be sold by the drink as other beverages are. The provisions of this act shall not apply to druggists who sell liquors for chemical, scientific, medicinal, mechanical, or sacramental purposes only, and in strict compliance with law.

It shall not be lawful for any druggist, nor for any person whose business consists in whole or in part of the sale of drugs and medicines, directly or indirectly, by himself, his clerk, agent or servant, at any time, to sell, furnish, give, or deliver, any spirituous, malt, brewed, fermented, or vinous liquor, or any mixed liquor, a part of which is spirituous, malt, brewed, fermented, or vinous, to a minor, except for medicinal or mechanical purposes, on the written order of the parent or guardian of such minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the habit of getting intoxicated, nor to any Indian or any person of Indian descent, nor to any person whose husband, wife, parent, child, guardian, or employer, supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county in which such person shall reside or temporarily remain, who shall forbid the same, nor to any other person to be used as a beverage, nor to any person to be drank on the premises, nor to be mixed and drank with any beverage drawn from a soda fountain or other apparatus or device for dispensing aerated or other beverages; but such druggist shall be allowed to sell said liquors for medicinal, chemical, scientific, mechanical and sacramental purposes only, and subject to the following restrictions and conditions: Every such dealer in drugs and medicines shall procure and keep a suitable blank book in which shall be recorded by said druggist, his clerk or employé the names of all persons applying for such liquor for any of these lawful purposes, the date of each sale, the amount and kind of liquor sold to each person, and the purpose to which the same was to be applied, as stated by the purchaser, which book shall be kept in the store of said druggist, and shall be open to all persons for examination during all business hours; and the failure to keep a record of every such sale, or the delivery of liquor for any purpose other than above named, shall subject such druggist to the penalties provided for in this section:

Provided, That such druggists shall, on or before the first Monday in May in each year, or before commencing business, execute and file with the county treasurer of the county in which he is carrying on such business, a bond, the sufficiency of which shall be determined by the township board of the township, or the board of trustees, or the common council of the village or city in which such business is proposed to be carried on, to the People of the State of Michigan, in the sum of two thousand dollars with two or more sufficient sureties, who shall be freeholders and residents of the county in which such business is proposed to be carried on, each of whom shall justify in a sum equal to the amount of the bond, over and above all indebtedness, and all exemptions from sale on execution, and all liability on other similar bonds, which bond shall be substantially in the following form:

Know all men by these presents that we as
principal and and as sureties,
are held and firmly bound unto the people of the State of Michigan in the
sum of two thousand dollars, to the payment whereof, well and truly to be

made, we bind ourselves, our heirs, executors, and administrators firmly by these presents. Sealed with our seals and dated this day of 18

WHEREAS, The above named principal proposes to carry on the business of a druggist at, in the county of, and State of Michigan;

AND WHEREAS, The said principal hath covenanted and agreed, and doth hereby covenant and agree as follows, to wit: That he will not directly or indirectly by himself, his clerk, agent, or servant, at any time, sell, furnish, give, or deliver any spirituous, malt, brewed, fermented or vinous liquor, or any mixed liquor, a part of which is spirituous, malt, brewed, fermented or vinous, to a minor except for medicinal or mechanical purposes, on the written order of the parent or guardian of such minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the habit of getting intoxicated, nor to any Indian, or any person of Indian descent, nor to any person whose husband, wife, parent, child, guardian, or employer, supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county in which such person shall reside or temporarily remain, shall forbid such selling, furnishing or giving to as aforesaid, and that he will not sell to any person to be drank on the premises, nor to be mixed and drank with any beverage drawn from a soda fountain or other apparatus or device for dispensing areated or other beverages; that he will sell such liquors for chemical, scientific, medicinal, mechanical and sacramental purposes only, and that he will pay all damages, actual and exemplary, that may be adjudged to any person for injuries inflicted upon them, either in person or property, or means of support, by reason of his selling, furnishing, giving or de ivering any such liquors.

Now, the condition of this obligation is such that if said principal shall well and truly keep and perform all and singular the foregoing covenants and agreements, and shall pay any judgment for actual or exemplary damages which may be recovered against him in any court of competent jurisdiction, and all fines and costs that may be imposed upon him for violations of this act, then this obligation shall be void and of no effect, otherwise the same shall be in full force and effect.

Signed and sealed in the presence of

.....

 [L. S.]
 [L. S.]
 [L. S.]

Whenever any druggist shall violate any provisions of this section, he shall on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than one hundred nor more than five hundred dollars and costs of prosecution, or imprisonment in the county jail not less than ninety days nor more than one year, or both in the discretion of the court; for a second violation of any of the provisions of this act such druggist shall in addition to paying the penalty hereinbefore provided for, be debarred from selling in this State any of the liquors hereinbefore mentioned for a period of five years from and after the date of such conviction: *Provided*, That every drug clerk shall, in addition, be responsible for violating the

provisions of this act, for his personal act or negligence, or violation subject to the same penalty as proprietors.

SEC. 3. Every person engaged in, or intending to engage in any business named in section one of this act, and requiring the payment of any tax mentioned in said section one, shall, on or before the first Monday in May in each year, make and file with the county treasurer, in the county where it is proposed to carry on such business, a statement in writing and on oath, showing the name and residence of such person, the ward, village or township in which it is proposed to carry on such sale, or manufacture, and the nature of the business which such person is engaged in, or is intending to engage in; and shall, on or before the first Monday in May in each year, pay to the said county treasurer, in advance, the taxes required by said section one for such business for the year commencing on said first Monday of May, and ending on the first Monday of May next thereafter.

SEC. 4. Any person engaged in any such business after the first Monday in May in each year shall, before commencing such business, make and file the like statement on oath, as is provided for in section three of this act, and pay in advance to said county treasurer, a *pro rata* portion of the yearly tax on such business, as provided in section one, for the remainder of the year ending on the first Monday of May next ensuing; and in computing the time of such fractional part of a year for which a tax is demanded, the tax shall commence on the first Monday of that month in which said business shall commence. But no tax shall be less than one-half of the yearly tax.

SEC. 5. On receiving the tax provided for in this act, the county treasurer shall give a receipt for the money so paid, to the person or persons of whom the same shall be received, in which receipt the name of the person or persons paying the tax shall be named, the amount of the tax and the time for which it was paid, the city, village or township in which the business is to be conducted, and the kind of business for or on account of which the tax was paid; and also a notice printed on full size printer's card board, and in as large letters as practicable, which notice shall contain a statement of what tax has been paid by the holder of said notice and the penalty for selling liquors in violation of the provisions of this act, and that ten dollars costs will be paid to the person making complaint upon the conviction of the offender, and that complaint may be made to any justice of the peace or police justice, and before commencing or doing any business for the time for which such tax is paid, and the receipt is given, the same shall be posted up and at all times displayed in a conspicuous place in the room or place where the sale of the liquors or beverages named in this act, and for which the tax was paid, is carried on, so that such receipt and notice shall be displayed in a conspicuous manner to all persons visiting or frequenting such room or place; and any person or persons who shall carry on any business or sell any liquors or beverages for which a tax is required to be paid by this act, without having such receipt and notice posted up and displayed at all times in the place where such business or sale is or are carried on, shall be deemed guilty of a misdemeanor, and shall be subject to the same fine and punishment as is provided in this act for the neglect or refusal to pay the tax required by this act. And it shall be the duty of the auditor general to prepare printed blank receipts and notices conforming to the provisions of this act, and to furnish the same in proper quantities to the several county treasurers of the State, and no county treasurer shall issue any such receipt or notice until the tax specified herein shall be paid in full.

SEC. 6. If any person or persons shall engage or be engaged in any business requiring the payment of a tax under section one of this act, without having paid in full the tax required by this act, and without having the receipt and notice for such tax posted up as required by this act, or without having made, executed and delivered the bond required by this act, or shall in any manner violate any of the provisions of this act, such person or persons shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than two hundred dollars and costs of prosecution, and by imprisonment in the county jail not less ten days nor more than ninety days, in the discretion of the court. And in case such fine and costs shall not have been paid at the time such imprisonment expires, he, the person serving out such sentence, shall be further detained in jail until such fine and costs shall have been fully paid: *Provided*, That in no case shall the whole term of imprisonment exceed six months. And any person engaged in any business requiring the payment of a tax under section one of this act, who, after paying the tax so required, shall be convicted of a violation of any of the provisions of this act, shall forfeit the right to sell paid for by him or them, and be debarred from again engaging in any business requiring the payment of a tax under section one of this act, or from becoming a surety or sureties upon any bond required under section seven of this act, for the period of one year from the time of such conviction. The forfeiture of the tax shall be in addition to the penalty hereinbefore prescribed. Each violation of any of the provisions of this act shall be construed to constitute a separate and complete offense, and for each violation on the same day, or on different days, the person or persons offending shall be liable to the forfeitures and penalties herein provided.

SEC. 7. Every person engaged in the sale of any spirituous, malt, brewed, fermented or vinous liquors, excepts druggists, shall before commencing such business, and on or before the first day of May, in each and every year thereafter, make, execute, and deliver to the county treasurer of the county in which he is carrying on such business, a bond, the sufficiency of which shall be determined by the township board of the township, or the board of trustees, or the common council of the village or city in which such business is proposed to be carried on, to the people of the State of Michigan, in the sum of not less than three thousand nor more than six thousand dollars, with two or more sufficient sureties, who shall be male residents and free holders of the township, village or city in which such business is proposed to be carried on, neither of whom shall hold any elective or appointive office in any county, city, village or township of this State, or be engaged, either as principal, agent, or servant, either directly or indirectly, in the sale of any of the liquors mentioned in this act, nor a surety upon any other bond required by the provisions of this act, and each of whom shall justify in real estate situated in the county in which such business is proposed to be carried on in a sum equal to the amount of the bond, over and above all indebtedness, and all exemptions from sale or execution, which bond shall be substantially in the following form: Know all men by these presents, that we,-----, as principal, and-----, and-----, as sureties, are held and firmly bound unto the people of the State of Michigan in the sum of-----dollars, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, firmly by these presents. Sealed with our seals and dated this-----day of-----A. D. 18-----

WHEREAS, the above named principal professes to carry on the business of
 ---- (and describing the place of business) ----, at ----, in the county of
 ----;

AND WHEREAS, The said principal has covenanted and agreed, and doth hereby covenant and agree as follows, to-wit: That he will not directly or indirectly, by himself, his clerk, agent or servant, at any time, sell, furnish, give, or deliver any spirituous, malt, brewed, fermented, or vinous liquor, any mixed liquor, or any mixture or compound, a part of which is spiritous, malt, brewed, fermented or vinous liquor to a minor, nor to any adult person whatever, who is at the time intoxicated, nor to any person in the habit of getting intoxicated, nor to any Indian, or any person of Indian descent, nor to any person whose husband, wife, parent, child, guardian, employer, supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county in which such person shall reside or temporarily remain, shall forbid the same, and that he will pay all damages, actual and exemplary, that may be adjudged to any person for injuries inflicted upon them, either in person or property, or means of support, by reason of his selling, furnishing, giving, or delivering any such liquors.

Now the condition of this obligation is such that if said principal shall well and truly keep and perform all and singular the foregoing covenants and agreements, and shall pay any judgment for actual or exemplary damages which may be recovered against him in any court of competent jurisdiction and all fines and costs that may be imposed upon him for violations of this act, then this obligation shall be void and of no effect, otherwise the same shall be in full force and effect.

Signed and sealed in the presence of

 [L. S.]
 [L. S.]
 [L. S.]

There shall also be annexed to each bond required by this act an affidavit of each surety thereto, which affidavit shall state that the affiant is not engaged either as principal, agent or servant in the sale of any liquors mentioned in this act, that he is not a surety upon any other bond required by the provisions of this act, that he is a male resident and freeholder of the township, village, or city in which such bond is offered, and that he does not hold any elective or appointive office in any county, city, village, or township of this State, and that he is worth in unencumbered real estate, situated within the county in which such business is proposed to be carried on a sum equal to the amount of the bond over and above all indebtedness and exemptions from sale on executions, and if, in the judgment of the township board or the boards of trustees or common council of the village or city in which said business is proposed to be carried on, said sureties, or either of them, are not worth the full sum mentioned in said bond over and above all their liabilities and exemptions, or if the principal of said bond is known, by said township board or the board of trustees, or common council of the village or city to be a person whose character and habits would render him or her an unfit person to conduct the business of selling liquor, they, the said township board or board of trustees or common council of the village or city,

as the case may be, shall refuse to endorse said bond with their approval. Such bond shall not be received by the county treasurer unless the approval thereof by the township board or the board of trustees or common council of the village or city shall be duly certified thereon in writing, by the clerk or recording officer of such township or city, and the principal shall not be allowed to sell spirituous, malt, brewed, fermented, or vinous liquors in any other building or place than that specified in said bond, without giving notice and executing another bond in the manner above prescribed. A new bond shall be required by the county treasurer with whom such bond was originally filed, in case of the death, insolvency, or removal of either of the sureties, and in any other contingency that he shall determine requires it. And it shall not be lawful for any person to sell any of the liquors mentioned in sections one and two of this act, after being notified by the county treasurer to procure a new bond, until said bond shall have been executed, approved by the proper board, and filed with the county treasurer; and any sale made in violation of this section shall be a misdemeanor, and shall be punished as provided in section six of this act; and in all actions brought upon said bond for damages by reason of the violation of any of the provisions thereof, the plaintiff in such action shall in the event of recovering a judgment of any amount also recover his costs of suit. The notice herein provided for shall be served and returned by the sheriff of the county, who shall receive from the county for such services the same fees as are allowed by law for the service of original writs from the circuit court.

SEC. 8. One-half of all moneys paid to any county treasurer under the provisions of this act, after deducting his fees as herein provided, shall be by him placed to the credit of the township, village or city from which the same was collected, and shall be by such county treasurer paid over, on demand, to the treasurer of such township, village or city to be applied as other general funds. The remainder of all moneys so received by any county treasurer shall be by him placed to the credit of the general fund of the county. The county treasurer shall receive and retain one per cent on all moneys paid to him, as a recompense in full for all his services rendered under the provisions of this act: *Provided*, That the amount as fees under the provisions of this act by any county treasurer, shall not exceed the sum of five hundred dollars.

SEC. 9. It shall be the duty of every county treasurer, sheriff, deputy sheriff, police officer or other person having notice or knowledge of any violation of the provisions of this act, to immediately notify the prosecuting attorney of the county thereof, and it shall be the duty of such prosecuting attorney when complaint on oath is made forthwith to prosecute every person violating any of the provisions of this act, and for each and every violation thereof.

SEC. 10. It shall be the duty of each and every county treasurer, at the end of each and every month to make a full and complete report, under oath, containing the name of each and every person or persons in his county paying a tax during said month, under the provisions of this act, stating therein the residence of such person or persons, the nature of the business in which such persons are engaged, the place of doing business, the amount of tax paid and the date of payment of the same, and file such statement with the clerk of his county; and such county treasurer shall also, on the first Monday of December, in each year, make a full and complete report of all the facts, as shown by such reports, and return the same to the auditor general, and pub-

lish the same in some newspaper published in his county, if there be one, and in two if there be two. All blanks required to carry into effect the provisions of this act shall be prepared and furnished annually by the auditor general to the county treasurers, and by them to the township, village and city officers.

SEC. 11. In case any assessor, county treasurer, prosecuting attorney or other officer whose duty it is to see that the provisions of this act are faithfully enforced, shall wilfully neglect or refuse to perform his duty under the provisions of this act, he shall be liable to a penalty of one hundred dollars for each and every offense, and the Governor may, in case of such neglect or refusal, appoint such other person or persons to perform the duties prescribed by this act, who shall, upon being so appointed, have like powers and duties, and receive the same fees, under this act, as such assessor, treasurer, prosecuting attorney or other officer, as the case may be; and in case of the appointment of any person in place of the prosecuting attorney, to prosecute for violation of this act, in any county, the board of supervisors shall allow and pay to such prosecutor a reasonable compensation for all services performed by him as such prosecutor.

SEC. 12. It shall not be lawful for any person except a druggist, who shall be governed by section 2 of this act, to sell, furnish to, or give any spirituous, malt, brewed, fermented, or vinous liquors, or any beverage, liquor, or liquids containing any spirituous, malt, brewed, fermented, or vinous liquor to any minor, to any intoxicated person, nor to any person in the habit of getting intoxicated, nor to any Indian, nor any person of Indian descent nor to any person whose husband, wife, parent, child, guardian or employer, or the supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or the superintendent of the poor of the county where such person shall reside or temporarily remain, shall forbid such selling, furnishing, or giving. The fact of selling, giving, or furnishing any liquids in any place where intoxicating liquors are sold, or kept for sale, to any minor, or to any intoxicated person, or to any person in the habit of getting intoxicated, or to any Indian, or person of Indian descent, or to any person whose husband, wife, parent, child, guardian, employer, or the supervisor of the township, mayor, director of the poor, or any supervisor or alderman of the city, or superintendent of the poor of the county where such person shall reside or temporarily remain, shall be forbidden the selling, furnishing, or giving of the same, shall be a *prima facie* presumption of an intent, on the part of the person so selling, giving, or furnishing such liquor, to violate the law.

SEC. 13. It shall not be lawful for any person to sell or keep for sale, or deliver any of the liquors mentioned in this act, in any room or in any adjoining room in the same building, nor in any room connected by hallway or intermediate room or rooms opening into any room where any billiards, pool, or card tables are kept, or where billiards, pool or cards are played, nor to allow any minors to visit or remain in any room where such liquors are sold or kept for sale, unless accompanied by his father or other legal guardian.

SEC. 14. It shall not be lawful for any person to sell, offer to sell, furnish, give or have in his possession any of the liquors mentioned in this act, in any concert hall, variety show, theater, or other place of amusement, nor in any rooms in any building opening into where any such concert hall, variety show, theatre, or other place of amusement may be.

SEC. 15. All saloons, restaurants, bars, in taverns or elsewhere, and all

other places, except drug stores, where any of the liquors mentioned in this act are sold, or kept for sale, either at wholesale or retail, shall be closed on the first day of the week, commonly called Sunday, on all election days, on all legal holidays, and until seven o'clock of the following morning, and on each week-day night from and after the hour of nine o'clock until seven o'clock of the morning of the succeeding day. The word "closed," in this section shall be construed to apply to the back door or other entrance as well as to the front door. And in prosecutions under this section it shall not be necessary to prove that any liquor was sold: *Provided* that in all cities and incorporated villages the common council may by ordinance allow the saloons and other places where said liquors shall be sold, to remain open not later than ten o'clock of any week-day night.

SEC. 16. Whenever complaint shall be made by any person on oath before any justice of the peace in any county, or other officer or magistrate having jurisdiction, that any person is found intoxicated or has been intoxicated in any hotel, store, public building, street, alley, highway, or other public place, it shall be the duty of such justice, municipal or police court to issue a subpoena to compel the attendance of such person so found intoxicated or who has been intoxicated, as aforesaid, to appear before the justice or court issuing the same, to testify in regard to the person or persons of whom, and the time when, and the place where, and the manner in which the liquor producing his intoxication was procured, and if such person, when subpoenaed, shall neglect or refuse to obey such writ, the said justice or court who issued the same shall have the same power and authority to compel the attendance of the person so subpoenaed and to enforce obedience to such writ as in other civil cases. Whenever the person so subpoenaed shall appear before the justice, municipal or police court, to testify as aforesaid, he shall be required to answer on oath the following questions, to-wit: When, where and of whom did you procure, obtain, or receive the liquor or beverage, the drinking or using of which has contributed to the cause of the intoxication mentioned in the complaint? And if such person shall refuse to answer fully and fairly such questions on oath, he shall be punished and dealt with in the same manner as for a contempt of court as in other cases. If it shall appear from the testimony of such person that any of the offenses specified in this act have been committed in this State, such justice or court, before whom such testimony is given, shall make a true record of the same and cause it to be subscribed by such witness; and the said testimony or answers, when subscribed as aforesaid, shall be deemed and taken to be sufficient complaint to authorize the issuing of a warrant to arrest any person or persons who may appear from said complaint to be guilty of having violated any of the provisions of this act. Any person arrested on a warrant issued pursuant to the provisions of this section shall be brought before the justice or court issuing the same, and all subsequent proceedings in such suit or prosecution shall be governed by and subject to the provisions of this act and the rules of law applicable thereto: *Provided*, That the person so testifying under the provisions of this section shall not be held or prosecuted for the intoxication concerning which such testimony shall be given.

SEC. 17. Every person who shall by himself, or by any clerk, servant, agent, or employe, sell, give, or furnish, or cause to be sold, given, or furnished, any intoxicating, spirituous, malt, brewed or fermented liquors, cider, or wine, or

any liquor or beverage, any part of which is intoxicating, spirituous, malt, brewed or fermented, to any minor and every person who shall himself, or by his clerk, servant, agent or employe, permit or allow any such liquor, cider, wine or beverage to be sold, furnished or given to, or to be drank by any such minor, in his or her residence, store, shop, saloon, restaurant, bar-room, or place of business where such liquors or beverages are kept, furnished or sold, shall be liable for both actual and exemplary damages therefor, to the father, mother, guardian or master, or any person standing in place of a parent to such minor, in such sum, not less than fifty dollars in each case, as the court or jury shall determine; except a druggist upon the written request of a parent, guardian or master of such minor, or upon the written prescription and request of a regular practicing physician: *Provided*, That the physician making such prescription shall not be the druggist himself nor a member of the firm of druggists selling such liquors, nor an employe of such druggist or firm. But if any druggist shall furnish, sell or give to any such minor any such liquor more than once upon the same written prescription or written request, he shall be liable in damages as aforesaid, and to the extent aforesaid in each case.

SEC. 18. The damage in all cases provided for in this act, together with costs of suit, shall be recoverable in action of trespass on the case before any court of competent jurisdiction. And in any case where parents shall be entitled to such damages either the father or the mother may sue alone therefor. But recovery by one of said parties shall be a bar to a suit brought by the other.

SEC. 19. It shall be the duty of village and city marshals, and, in cities having no marshal, of the chief of police, or some subordinate appointed by such chief, to visit, at least once in each week, all places within their respective jurisdictions where any of said liquors are sold or kept, to learn if any of the provisions of this act have been or are being violated, and whenever any of the officers above mentioned shall learn of a violation of any of the provisions of this act, it shall be his duty to enter complaint before some justice of the peace of the proper township or city, or police justice, as the case may be, and to do whatever shall be necessary to bring the offender to justice.

SEC. 20. Whenever complaint shall be made to any justice of the peace, or police justice, of any violation of any of the provisions of this act, he shall not require security for costs to be given, but shall take the complaint and examination of the witnesses as in other cases, and if the offense appears to have been committed, he shall issue his warrant for the arrest of the offender, and shall notify the prosecuting attorney, whose duty it shall be to appear and prosecute the same.

SEC. 21. All persons engaged in the business of selling or keeping for sale any of the liquors mentioned in this act, whether as owner, or as clerk, agent or servant, or employe, shall be equally liable as principals for any violation of any of the provisions of this act, and any person or principal shall be liable for the acts of his clerk, servant, agent or employe, for any violation of the provisions of this act.

SEC. 22. If any person shall adulterate any spirituous or alcoholic liquors used or intended for drink, by mixing the same in the manufacture or preparation thereof, or by process of rectifying, or otherwise, with any deleterious drug, substance, or liquid, which is poisonous or injurious to health, except as hereinafter provided, or if any person shall sell, or offer to sell, any

wine, or spirituous, or alcoholic liquors, or shall import into this State any wine or spirituous or intoxicating liquors, and sell or offer for sale such liquors, knowing the same to be adulterated, or shall sell or offer to sell any spirituous or intoxicating liquors from any barrel, cask, or other vessel containing the same, and not branded as hereinafter provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five hundred dollars, nor less than fifty dollars, and shall be imprisoned in the jail of the county not more than sixty nor less than ten days.

SEC. 23. It shall be the duty of every person or persons engaged in the manufacture and sale of malt, spirituous or alcoholic liquors, or in rectifying or preparing the same in any way, to brand on each barrel, cask, or other vessel containing the same, the name or names of the person, company, or firm manufacturing, rectifying, or preparing the same, and also these words, "Pure, and without drugs or poison."

SEC. 24. No person shall sell at wholesale or retail any ale, rum, wine, or other malt or spirituous liquors from any barrel, cask, or vessel, unless the same shall have been branded and marked as aforesaid.

SEC. 25. If any barrel, cask or other vessel containing any drugged or poisoned liquor shall be found in the possession of any wholesale or retail dealer in liquors, or in the possession of any person holding himself out as such a dealer, it shall be deemed *prima facie* evidence of the violation of the provisions of this act.

SEC. 26. Any person who shall put into any barrel, cask, or other vessel, branded or marked, as required by this act, any liquors drugged or adulterated as aforesaid, or who shall sell or offer for sale any such liquors, for the purpose and with the intent of deceiving any person in the sale thereof, shall be deemed guilty of an attempt to practice a fraud, and upon conviction thereof shall be imprisoned in the State prison not more than one year.

SEC. 27. The provisions of this act shall not be so construed as to prevent druggists, physicians, and persons engaged in the mechanical arts from adulterating liquors for medical and mechanical purposes.

SEC. 28. During the time when by the provisions of this act places where liquor is sold or kept for sale must be closed, all curtains, screens and other obstructions that obstruct the view from the sidewalk, street or road in front of said building of the bar or place in said room where said liquors are sold or kept for sale, shall be removed.

SEC. 29. Wherever in this act the phrase "and imprisonment" is used, it shall not be construed to mean "or imprisonment," but in case of conviction both the fine and imprisonment provided for shall be inflicted.

THIRD READING OF BILLS.

House bill No. 609 (file No. 354) entitled

A bill to make an appropriation for marking by monuments, the place, where the 1st, 3d, 4th, 5th, 7th, 16th and 24th Michigan Infantry, the 1st, 5th, 6th, and 7th Michigan Cavalry, the 9th Battery, "I" Michigan Artillery, and Companies "C," "I" and "K," of the 1st Regiment of U. S. S., and Company "B," 2d Regiment of U. S. S., known as Berdan's Michigan Sharpshooters, or any other command of Michigan volunteers who fought upon the battlefield of Gettysburg, and providing for the erection of the same,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Chapman moved to amend the bill by striking out in line 1, sec. 1, the word "twenty" and inserting the word "seven" in lieu thereof.

Which motion did not prevail, two-thirds of all the members present not voting therefor.

Mr. Chapman moved to amend the bill by striking out in line 2, sec. 2, the words "one officer or soldier from each" and inserting in lieu thereof the words "five persons from any."

Which motion prevailed.

Mr. Manly moved to reconsider the vote by which the House agreed to the amendment.

Which motion prevailed.

The question being on amending the bill,

The motion did not then prevail.

The bill was passed, a majority of all the members elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Hunt,	Mr. Rogers,
Allen,	Cross,	Kelley,	Rounsville,
Anderson,	Damon,	Killean,	Rumsey,
Ashton,	Dickson,	Kirby,	Simpson,
Baker, S.,	Diekema,	Lakey,	Snow,
Baker, W. A.,	Dillon,	Manly,	Stuart,
Baldwin,	Dunbar,	McCormick,	Tindall,
Bardwell,	Goodrich,	McKie,	Vickary,
Bates,	Green,	McMillan,	Vroman,
Baumgardner,	Grenell,	Mulvey,	Washburn,
Beecher,	Harper,	Ogg,	Watson, F. H.,
Bettinger,	Haskin,	Oviatt,	Watson, H.
Bentley,	Herrington,	Perkins,	Watts,
Breen,	Hill,	Pettit,	Wellman,
Brock,	Hoaglin,	Pierce,	Wilson,
Burr,	Holt,	Reader,	Wood,
Cannon,	Hosford,	Robinson, J. W.	Speaker,
Case,	Houk,	Robinson, R.,	71

NAYS.

Mr. Chapman,	Mr. Pardee,	Mr. Webber,	3
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Title agreed to.

On motion of Mr. Houk,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 346 (file No. 355) entitled

A bill to provide for the completion and furnishing of the State house of correction and branch of the State prison at Marquette, in the upper peninsula, and to make an appropriation therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Jones,	Mr. Reader,
Allen,	Damon,	Killean,	Robinson, J. W.

Mr. Baker, S.,	Mr. Dickson,	Mr. Kirby,	Mr. Robinson, R.,
Baker, W. A.,	Diekema,	Lakey,	Rogers,
Baldwin,	Dillon,	Lincoln,	Rumsey,
Bardwell,	Goodrich,	McCormick,	Snow,
Beecher,	Grenell,	McGregor,	Spencer,
Bettinger,	Harper,	McMillan,	Stuart,
Bentley,	Haskin,	Mulvey,	VanOrthwick,
Breen,	Herrington,	Ogg,	Vickary,
Brock,	Hoaglin,	Oviatt,	Washburn,
Burr,	Holt,	Pardee,	Watson, F. H.
Cannon,	Hoobler,	Perkins,	Watson, H.,
Case,	Hosford,	Pettit,	Wellman,
Chapell,	Houk,	Pierce,	Wilson,
Cole,	Hunt,	Powers,	Wood,

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NAYS.

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Title agreed to.

On motion of Mr. Mulvey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 509 (file No. 257) entitled

A bill to amend sections 1 and 2 of an act entitled "An act to provide for the recording of town plats and for vacating the same in certain cases, being compiler's sections 1344 and 1345, compiled laws of 1871, as amended by act No. 108, session laws of 1873, approved April 17, 1873, being compiler's sections 1473 and 1474 of Howell's annotated statutes, as amended by act No. 111 of the public acts of 1885, approved May 21st, 1885,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Abbott moved to amend the bill by striking out section 1 and inserting the following in lieu thereof.

SECTION 1. *The People of the State of Michigan enact*, That sections No. 1344 and 1345 of the compiled laws of 1871 relative to the recording of town plats and vacating the same, as amended by act No. 108, session laws of 1873, approved April 17, 1873, being compiler's sections 1473 and 1474 of Howell's annotated statutes, as amended by act No. 111 of the public acts of 1885, approved May 21, 1885, be and the same is hereby amended to read as follows:

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. McGregor,	Mr. Rumsey,
Allen,	Goodrich,	McMillan,	Snow,
Anderson,	Harper,	Mulvey,	Spencer,
Bardwell,	Haskin,	Ogg,	Stuart,
Beecher,	Hoaglin,	Oviatt,	Tindall,
Bentley,	Holt,	Pardee,	VanOrthwick,
Breen,	Hoobler,	Perkins,	Vickary,
Brock,	Hosford,	Pettit,	Vroman,
Cannon,	Houk,	Pierce,	Washburn,

Mr. Case,	Mr. Hunt.	Mr. Powers,	Mr. Watson, F. H.
Chapell,	Jones,	Reader,	Watson, H.,
Chapman,	Killean,	Robinson, J. W.	Watts,
Cole,	Kirby,	Robinson, R.,	Webber,
Cross,	Lincoln,	Rogers,	Wellman,
Damon,	McCormick,	Rounsville,	Speaker,
Dickson,			

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NAYS.

Mr. Wood,

1

The question being on agreeing to the title,

Mr. Abbott moved to amend the title so as to read as follows:

A bill to amend sections 1344 and 1345 of the compiled laws of 1871, relative to the recording of town plats and vacating the same, as amended by act No. 108, session laws of 1873, approved April 17, 1873, being compiler's sections 1473 and 1474 of Howell's annotated statutes, as amended by act No. 111 of the public acts of 1885, approved May 21, 1885,

Which motion prevailed.

The title as amended was then agreed to.

Senate bill No. 192 (file No. 72), entitled

A bill to amend an act entitled "An act to regulate the sale of spirituous, malt, brewed, fermented and vinous liquors, to prohibit the sale of such liquors to minors, to intoxicated persons, and to persons in the habit of getting intoxicated, to provide a remedy against persons selling liquor to husbands or children in certain cases, and to repeal all acts or parts of acts inconsistent herewith," approved June 10, 1881, as amended by acts 178, 187 and 191 of the session laws of 1883, by adding a new section thereto to stand as section 17, in relation to costs,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Herrington,

The bill was laid on the table.

House bill No. 69 (file No. 131), entitled

A bill to provide for the dissemination of useful information concerning fish culture and the fishing industries of the State,

Was read a third time and pending the taking of the vote on the passage thereof,

Mr. Damon moved to amend the bill by restoring sections 2 and 3 of the original bill,

Which was not agreed to.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Bardwell,	Mr. Damon,	Mr. Hoobler,	Mr. Mulvey,
Baumgardner,	Dickson,	Hosford,	Ogg,
Bentley,	Dillon,	Houk,	Powers,
Breen,	Dunbar,	Hunt,	Rogers,
Chapell,	Goodrich,	Killean,	Snow,
Chapman,	Haskin,	Lincoln,	Spencer,
Cole,	Hill,	Manly,	Watts,
Cross,	Holt,	McKee,	

31

NAYS.

Mr. Anderson, Burr, Case, Hoaglin, Jones, Kirby,	Mr. Oviatt, Pardee, Pettit, Reader, Robinson, J.W.	Mr. Rounsville, Rumsey, Simpson, Van Orthwick, Vickary, J.	Mr. Watson, F. H. Watson, H, Webber, Wellman, Wood,
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21

Senate bill No. 394 (file No. 208), entitled

A bill to amend section twelve hundred and twenty-five Howell's annotated statutes, relative to the payment of specific taxes to counties in the upper peninsula,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Vickary moved to strike out the enacting words of the bill,

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott, Anderson, Baldwin, Bardwell, Baumgardner, Beecher, Bentley, Brock, Cannon, Chapman, Cole, Cross, Damon, Dickson, Dillon, Engleman,	Mr. Goodrich, Green Grenell, Harper, Haskin, Herrington, Hill, Hoaglin, Holt, Hosford, Houk, Jones, Kelley, Killean, Kirby, Lincoln,	Mr. Linton, Manly, McGregor, McKie, Ogg, Oviatt, Pardee, Perkins, Pettit, Pierce, Powers, Reader, Rentz, Robinson, J.W. Robinson R.,	Mr. Rogers, Rounsville, Rumsey, Snow, Spencer, Stuart, Tindall, Washburn, Watson, F. H. Watson, H., Watts, Webber, Wilson, Wood, Speaker,
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NAYS.

Mr. Baker W. A., Breen, Burr,	Mr. Chamberlain, Chapell,	Mr. Dunbar, Mulvey,	Mr. Vickary, Wellman,
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9

The question being on agreeing to the title,

Mr. Holt moved to amend the title by inserting after the word "amend" the words "compiler's section No. 1175 of the compiled laws of 1871, being "

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 393 (file No. 207), entitled .

A bill to amend section 1226 of Howell's annotated statutes, relative to taxes on mining and smelting companies.

Was read a third time and passed, a majority of all the members electing therefor, by yeas and nays, as follows:

YEAS.

Mr. Anderson,	Mr. Green,	Mr. Manly,	Mr. Rounselle,
Baker, S.,	Grenell,	McCormick,	Rumsey,
Baldwin,	Harper,	McGregor,	Simpson,
Bardwell,	Haskin,	McKie,	Snow,
Baumgardner,	Hill,	McMillan,	Spencer,
Beecher,	Hoaglin,	Ogg,	Stuart,
Bentley,	Holt,	Oviatt,	Tindall,
Brock,	Hoobler,	Pardee,	Van Orthwick,
Cannon,	Hosford,	Perkins,	Vroman,
Case,	Hunt,	Pettit,	Watson, F. H.
Chapman,	Jones,	Pierce,	Watson, H.
Cole,	Kelley,	Powers,	Watts,
Damon,	Killean,	Reader,	Webber,
Dickson,	Kirby,	Rentz,	Wellman,
Dillon,	Lakey,	Robinson, J. W.	Wood,
Engleman,	Lincoln,	Robinson, R.,	Speaker, 67
Goodrich,	Linton,	Rogers,	

NAYS.

Mr. Breen,	Mr. Mulvey,	Mr. Vickary,	3
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The question being on agreeing to the title,

Mr. Holt moved to amend the title by inserting after the word the words "Sec. 1176 of the compiled laws of 1871 as amended by act No. 59 of the session laws of 1872, approved March 20, 1872, being"

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Holt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS AND RESOLUTIONS.

Mr. Lincoln moved to take from the table

House bill No. 463 (file No. 336), entitled

A bill to amend sections Nos. 26, 31, and 41 of an act entitled "An act to provide for holding general and special elections," being compiler's sections Nos. 162, 167 and 177 of Howell's annotated statutes,

Which motion prevailed.

The question being on the passage of the bill,

Mr. Lincoln moved to amend the bill by striking out in line 2 section 1, the words, "an act," and inserting in lieu thereof the words, "act No. 175 of the session laws of 1851"; also by inserting at the end of line 2, the words "approved June 27, 1851."

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dillon,	Mr. Lincoln,	Mr. Rogers,
Anderson,	Dunbar,	Linton,	Rumsey,
Baker, S.,	Engleman,	Manly,	Simpson,
Baker, W. A.,	Goodrich,	McCormick,	Spencer,
Baldwin,	Green,	McGregor,	Stuart,
Bardwell,	Grenell,	McKie,	Tindall,
Baumgardner,	Harper,	McMillan,	Vroman,
Beecher,	Haskin,	Mulvey,	Washburn,
Bettinger,	Hill,	Ogg,	Watson, F. H.,
Bentley,	Hoaglin,	Oviatt,	Watson, H.
Burr,	Hoobler,	Perkins,	Watts,
Case,	Hosford,	Pettit,	Webber,
Chapman,	Jones,	Powers,	Wellman,
Cole,	Kelly,	Reader,	Wilson,
Damon,	Killean,	Rentz,	Wood,
Dickson,	Kirby,	Robinson, J. W.	Speaker,
Diekema,	Lakey,	Robinson R.,	

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NAYS.

Mr. Cannon, Mr. Chamberlain,

2

The question being on agreeing to the title,

Mr. Lincoln moved to amend the title so as to read as follows:

A bill to amend sections Nos. 26, 31 and 41 of act No. 175 of the session laws of 1851 entitled "An act to provide for holding general and special elections," approved June 27, 1851, being compiler's sections Nos. 162, 167 and 177 of Howell's annotated statutes.

Which motion prevailed.

The title as amended was then agreed to.

Mr. Perkins moved to take from the table

House bill No. 909 (file No. 248), entitled

A bill to amend section 6440 of the compiled laws of 1871, being section 8031 of Howell's annotated statutes of Michigan, relative to the liability of garnishees in justice courts,

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Perkins moved to amend the bill by striking out the following proviso at the end of recited section 2:

Provided further, That all provision of law relating to garnishment in this State shall apply to employees of school districts, townships, villages, cities, counties, and of the State, as well as to employers of individuals, partnerships and corporations.

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then not passed, a majority of all the members not elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Case,	Mr. Jones,	Mr. Rentz,
Baker, W. A.,	Chapman,	Killean,	Rumsey,

Mr. Baldwin,	Mr. Cross,	Mr. Lakey,	Mr. Simpson,	
Bates,	Damon,	Lincoln,	Spencer,	
Brock,	Diekema,	Pardee,	Tindall,	
Burr,	Hill,	Perkins,	Watts,	
Cannon,	Hoaglin,	Pettit,	Webber,	28

NAYS.

Mr. Abbott,	Mr. Dillon,	Mr. Manly,	Mr. VanOrthwick,	
Baumgardner,	Eldred,	Ogg,	Vickary,	
Bentley,	Harper,	Powers,	Washburn,	
Breen,	Haskin,	Robinson, J.W.	Watson, F. H.,	
Crocker,	Hoobler,	Snow,	Wilson,	
Dickson,	Hosford,			22

By the committee of conference:

The committee of conference of the Senate and House of Representatives, to whom was referred the differences between the two Houses relative to Senate bill No. 55 (file No. 48), entitled

A bill making an appropriation for the asylum for insane criminals, Which the House amended as shown by message of May 6, as follows:

1. By striking out of line 4, section 1, the words "three hundred and twenty-five" and inserting in lieu thereof the words "two hundred and fifty."

2. By striking out of line 5, section 1, the word "hair."

3. By striking out of line 6, section 1, the words "three hundred" and inserting in lieu thereof the words "two hundred."

4. By striking out of line 9, section 1, the word "skilled."

5. By striking out of section 1, and commencing in line 17, the following: "And that the further sum of one hundred dollars be, and is hereby appropriated out of the general fund for pillows and bedding for twenty-five beds."

6. By striking out, commencing in line 18, section 1, the following: "And that the further sum of one hundred dollars be and is hereby appropriated out of the general fund for pictures for wards."

7. By striking out of line 2 section 2, the words, "four hundred and ten dollars," and inserting in lieu thereof the words, "and thirty-five dollars."

In which fourth named amendment the Senate concurred, but in which several other amendments the Senate non-concurred,

Respectfully report that they have had the bill and amendments under consideration, and have directed us to report the same back to the House with the recommendation:

First, That the first named amendment be so amended as to make the amount to be inserted "three hundred dollars;"

Second, That in the second named amendment the Senate concur;

Third, That from the third named amendment the House recede;

Fourth, That from the fifth named amendment the House recede;

Fifth, That the sixth named amendment be so amended as to strike out the words "one hundred dollars" and insert in lieu thereof the words "twenty-five dollars;"

Sixth, That the seventh named amendment be so amended as to strike out the words "and thirty-five dollars," and insert in lieu thereof the words "three hundred and ten dollars."

All of which is respectfully submitted, and your committee of conference ask to be discharged from the further consideration of the bill.

L. G. PALMER,

C. I. DEYO,

Members of Com. on Part of Senate.

M. E. RUMSEY,

A. R. CHAPMAN,

C. E. HERRINGTON,

Members of Com. on Part of House.

Report accepted and committee discharged.

The question being on concurring in the report of the committee of conference,

The report was concurred in by yeas and nays as follows :

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. McCormick,	Mr. Rogers,
Allen,	Diekema,	McKie,	Rumsey,
Ashton,	Dillon,	McMillan,	Snow,
Baker, S.,	Dunbar,	Mulvey,	Spencer,
Baker, W. A.,	Eldred,	Ogg,	Tindall,
Baldwin,	Engleman,	Oviatt,	VanOrtheastwick,
Baumgardner,	Goodrich,	Pardee,	Vroman,
Beecher,	Green,	Perkins,	Washburn,
Bettinger,	Harper,	Pettit,	Watson, H.,
Breen,	Haskin,	Pierce,	Watts,
Brock,	Hill,	Powers,	Webber,
Burr,	Hosford,	Reader,	Wellman,
Cannon,	Killeen,	Rentz,	Wilson,
Case,	Lincoln,	Robinson, J. W.,	Wood,
Cole,	Linton,	Robinson, R.,	Speaker.
Damon,	Manly,		

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NAYS.

Mr. Jones, Mr. Vickary,

2

GENERAL ORDER.

On motion of Mr. Haskin,

The House went into committee of the whole on the general order,

Whereupon the Speaker called Mr. McMillan to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following bills:

1. House bill No. 287 (file No. 248), entitled

A bill to cede jurisdiction to the United States of America over the lands now occupied and to be occupied in the enlargement and improvement of the "Lake Superior Ship Canal Railway and Iron Company" and "The Portage Lake and River Improvement Company," Michigan,

2. House bill No. 96 (file No. 372), entitled

A bill to amend section 8218 of Howell's compilation, being section 6630 of the compiled laws of 1871, as amended by act No. 63, of the session laws of

1883, relative to proceedings by and against public bodies, having certain corporate powers, and by and against officers representing them,

3. House bill No. 314 (file No. 361), entitled

A bill to prevent judges of probate from serving as trustees of any of the asylums for the insane in the State of Michigan.

4. House bill No. 174, (file No. 364), entitled

A bill to amend section 7 of article 2 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroads and other corporations owning and operating any railroads in this State," approved May 1, 1873, as amended, being compiler's section 3350 of Howell's annotated statutes of the State of Michigan, as amended by act No. 174, of the session laws of 1883,

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following bills:

5. House bill No. 77, (file No. 120), entitled

A bill to amend sections 107, 109 and 111 of chapter 10 of the compiled laws of 1871, being sections 626, 628 and 630 of Howell's annotated statutes of Michigan, relative to the appointment and qualifications of notaries public and the duties of county clerks relative thereto,

6. House bill No. 26 (file No. 381), entitled

A bill to regulate the uniformity of text books and to provide for free school books in certain cases in public schools throughout the State and the distribution of the same, and to repeal all statutes and acts contravening the provisions of this act.

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

NEAL McMILLAN, *Chairman.*

Report accepted and committee discharged.

The first, second, third and fourth named bills were placed on the order of third reading.

On motion of Mr. Manly,

The House concurred in the amendments made by the committee to the fifth and sixth named bills, and they were placed on the order of third reading.

On motion of Mr. Haskin,

The House adjourned.

Lansing, Thursday, May 12, 1887.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Beattie.

Roll called: quorum present.

Absent without leave: Messrs Brock, Crocker, Engleman and McGregor.

On motion of Mr. Harrington,
Leave of absence was granted to himself until Monday next.
On motion of Mr. Rumsey,
Leave of absence was granted to Mr. Brock until Monday next.
On motion of Mr. Hill,
Leave of absence was granted to Mr. McGregor for the day.
On motion of Mr. Haskin,
Leave of absence was granted to Mr. Engleman until Monday next,

PRESENTATION OF PETITIONS.

No. 1223. By Mr. Chapman: Memorial relative to frauds in the April election in Wayne county.

Mr. Chapman moved that the memorial be read and spread at length in the Journal.

Mr. Hosford moved as a substitute that the memorial only be printed in the Journal, and the affidavits referred to the committee on elections.

Which was not agreed to.

The motion that the whole memorial be spread at length in the Journal then prevailed.

The memorial is as follows:

To the Honorable the Senate and House of Representatives, Lansing, Michigan:

The non-partisan State prohibitory amendment organization through its committee appointed for that purpose, being the undersigned, legally qualified voters of the city of Detroit, county of Wayne and State of Michigan, respectfully represent to your honorable body that at the late election held in said State on April 4, 1887, at which time the voters were called upon to vote upon the prohibitory amendment, so-called, submitted by your honorable body to the qualified voters of said State, to be embodied in the constitution of said State, gross frauds were perpetrated at the precincts, polling places, townships, etc., in said State, and more particularly in the city of Detroit and in the counties of Wayne and Macomb and elsewhere, whereby the vote of the electors in favor of said amendment was not counted as given, and was so fraudulently manipulated, interrupted, menaced and prevented as to defeat the actual majority vote, given or intended to be given, for said amendment, to obstruct the popular will as expressed by the ballot, and so to strike at the foundation of all free government in the purity and sanctity of the ballot. The fabric of our government rests upon the integrity of the ballot. The popular will expressed in the ballot must be the last resort of freemen. Let fraud, intimidation, interruption and coercion delay or defeat the will of the majority, then a reign of terrorism, unfreedom and misrule prevails and constitutional government dies.

We charge that the following frauds, interruptions, irregularities and hindrances, to a free and fair ballot were had in the said city and counties, and we present the following specific charges, positive proof being in our possession that glaring frauds have been perpetrated at many of the polling precincts in Michigan, especially in Detroit, as follows:

1. Misconduct of the inspectors at certain precincts.
2. Opening ballots presented by voters.
3. Interrogating voters as to contents of ballots presented.
4. Refusing to admit witnesses at the count.
5. Improper count.

6. Throwing out ballots presented by electors.
7. Depositing ballots in the ballot box without receiving them from the voter, and without letting the voter see the ballot.
8. Substitution of ballots "noes" for "yees" on the prohibitory amendment.
9. Receiving ballots from others than voters and depositing them in the ballot boxes.
10. Receiving ballots and allowing them to be cast by persons whose names had not been registered.
11. Concealing the ballot boxes from the view of voters so they could not see whether their ballots were deposited in the ballot boxes. And holding the polling places in saloons in over one-half of the voting precincts in the city of Detroit.
12. Receiving and depositing without ascertaining whether the voter was registered.
13. Electioneering among the voters pending the balloting.
14. Receiving ballots from voters who were knowingly being forced and intimidated to vote contrary to their own free will.
15. Neglect to deposit ballots received from voters.
16. Receiving and depositing ballots contrary to the express direction of voters, and from the hands of others than the voters themselves.
17. Substituting ballots in the place of ballots presented by voters, opening and separating the "yes" and "no" prohibitory amendment ballots before counting the whole number of votes cast.

There was rioting, force and intimidation to such an extent that a complete expression of the popular will, and the production of satisfactory evidence thereof was obstructed.

In proof whereof we attach hereto the following affidavits, and request that such action may be had as shall be just and equitable, and particularly that a committee of investigation be appointed by your honorable body to enquire as to the truth of the charges herein made, and your petitioners will ever pray.

Sylvester Larned,
Albert Dodge,
E. B. Fairfield,
J. W. Fales,
A. McVittie,
Rev. F. S. Smart,
Rev. M. Hickey,
J. B. Stevens,
Rev. T. H. Baskerville,

G. A. Newcomb,
Samuel Dickie,
D. M. Richardson,
D. A. Waterman,
A. N. Moffatt,
T. S. Anderson,
Rev. E. L. Rexford, D. D.,
J. L. Hudson,
Rev. R. W. Wallace.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE, }

John Lokie, of 295 Cass Avenue, Detroit, of said county, being duly sworn says: That he was at the polling place in the 5th district of the 2d ward of Detroit most of the day April 4th, 1887; and that while there he noticed the following irregularities:

First, The Amendment box was not in sight to the voter, so that it was impossible for one to see what became of his ballot after it was cast, from the position he occupied while voting.

Second, The voters were deprived of the legal privilege of a secret ballot, the inspectors opening the ballots as they were presented and placed in boxes not visible to the voter.

Third, About a dozen men were brought up to the polls by a man by the name of Rexford; some of their names were not found registered, but were allowed to vote when said Rexford said they were all right and that he would vouch for them.

Fourth, The count was not public. He arranged with the policeman to have J. B.

Stevens witness the count, but when said Stevens tried to get in they refused to admit him.

We then telephoned to police headquarters and a policeman came down and knocked at the door several times and finally gained admission, but closed the door immediately so that Stevens could not get in.

After a short time he appeared at the door and told Stevens he would have to wait an hour.

JOHN LOKIE.

Subscribed and sworn to before me this 18th day of April, 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE, } ss.

J. B. Stevens, being duly sworn, says that he is a duly qualified elector and resides in the city of Detroit, and that he voted "yes" on the amendment prohibiting intoxicating liquors April 4, 1887.

That while at the 5th district of the 2d ward on said day he noticed the following irregularities:

First, A number of persons voted at said district before the registration lists were examined to see whether they were entitled to the privilege. He protested against it to a policeman but was told that the men inside, the inspectors, were the sole judges of election.

Second, The ballot boxes were not easily distinguished from each other by the voter, and there was nothing to prevent the inspector, who received the ballots, who is a saloon keeper, from destroying the ballots handed in and substituting others in place.

He further says that in his opinion this was the manner in which the large Democratic and anti-amendment vote was obtained in Wayne county.

That frauds were attempted at this precinct there is no doubt.

Three witnesses can be produced who saw a man vote and he was in a few minutes again brought up by the gang of strikers to vote over again, and would if he had not been confronted by the said three witnesses.

Third, The count was not public; he was promised admission to see the count, but when the time came they would not admit him.

He appealed to the police, but they put him off for an hour.

One hour elapsed and they were not then ready to let him in, and three-quarters of an hour more passed before they would admit him.

The Amendment ballots were by this time turned out on the table but the inspectors told him they had been counted but not sorted.

JEROME S. STEVENS.

Subscribed and sworn to before me this 18th day of April, A. D., 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne Co., Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

C. W. Arnold being duly sworn says that he lives at 18 John R.-St., Detroit, and voted yes on the Amendment at the 5th district of the 1st ward on the 4th day of April last.

He further says that he worked in the interest of the Amendment at the 1st district of the 5th ward of said city and that he noticed the following irregularities at said district:

First, The ballot boxes were not in sight. He protested against it but to no effect. He was told to mind his own business as he was not a voter in the district.

Second, The inspectors inside would often open the ballots and if they were "Yes" on the amendment the said inspectors would say "This is not the ticket you are voting, is it?"

Third, The amendment ballots "Yes" were repeatedly taken by John Lothian, a saloon keeper, from the window and destroyed.

Fourth, He and all others who were known to be amendment men were jeered at and called names of the most low and vulgar kind that are not fit to be repeated; that he was pushed down, pushed aside and otherwise maltreated.

Fourth, The count was not public. Deponent and others demanded admission and remained there some time but could not get in to see the count.

Fifth, But eight votes were counted and the deponent saw fourteen men start for the polls with amendment "Yes" ballots to vote and they told him they voted it and this deponent believes and has good reason to believe they did vote it—and this deponent is informed and believes that nine other men voted the same way.

CHARLES W. ARNOLD.

Subscribed and sworn to before me this 14th day of April, A. D., 1887.

CHARLES J. LOWRIE,
Notary Public, Wayne Co., Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE. }

Rev. P. W. Sinks, of 128 Harper Ave., Detroit, being duly sworn, says that he is a duly qualified elector of said city.

And that he was at all of the districts of the first ward of said city on the 4th day of April last, and noticed the following irregularities in the conduct of the election :

First, The anti-amendment men hooted and jeered at men who were known to favor the amendment; they were intimidated and assaulted.

Amendment ballots and literature were snatched and torn up.

Second, He noticed that voters were deprived of the secrecy of their ballots, they being opened by the inspectors as they were handed in.

Third, In the 5th dist. of the 1st ward no one was admitted inside until about ten minutes after the close of the polls.

P. W. SINKS.

Subscribed and sworn to before me this 16th day of April, A. D. 1887.

CHAS. J. LOWRIE,
Notary Public, Wayne Co., Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE. }

A. J. Oostdyk, of 667 Clinton avenue, Detroit, being duly sworn says that he is a duly qualified voter of the second district of the Thirteenth ward and that he voted yes on the prohibitory amendment April 4, 1887.

He further says that the inspectors frequently opened the ballots as they were handed in, thus depriving the voter of the secrecy of the ballot.

That he was present at the count of the votes and that there were 259 votes cast on the question of the amendment, which was four more than the tally sheet called for, and this notwithstanding the fact that some men did not vote at all on the question.

That the ballots were sorted and opened before they were thrown out, when there was found to be an excess of four ballots, they took four of each kind and put them in a

hat and drew out two yes ballots and two no ballots, and this contrary to the protest of this deponent.

A. J. OOSTDYK.

Subscribed and sworn to before me this 16th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wagne Co., Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Alexander Bell, of the city of Detroit, being duly sworn, says that he was at the 2d district of the 8th ward most of the day last April 4th, and while there he noticed that it was a common occurrence that men who voted never saw their ballots.

Saloon keepers would stand near the window where the votes were cast and hand in the ballots for them.

ALEXANDER BELL.

Subscribed and sworn to before me this 18th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne Co., Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

John Fearson of 144 Prospect street, Detroit, Michigan, being duly sworn, says that he is a duly qualified elector of the said city and voted "Yes" on the prohibitory amendment in the 3d district of the 5th ward on the 4th day of April, A. D. 1887.

He further says he was at the polls nearly all day working in the interests of the amendment, and was hooted, jeered at and intimidated all day. The anti-amendment men swore at him and called him low, vulgar names, smashed his hat in and otherwise abused and maltreated him.

He further says that while watching the inspectors while some of the amendment men voted he saw one of the inspectors take a yes ballot, and while detracting the attention of the voter by an adroit movement substitute another ballot and put it in.

This he saw repeated three times in his presence, and he told the inspector that he had seen it three times and that it must be stopped. The inspector said nothing, but a policeman jerked him away saying he was blocking up the way, and a big Dutchman grabbed him by the moustache with both hands and pulled him until he thought his moustache would be pulled out. He appealed to the policeman for protection, but he was merely told to keep out of the way.

He further says that if it was known that a man was going to vote a "Yes" ballot it was almost impossible for him to vote; a crowd would gather around him, hoot and jeer at him, threaten to kill him if he voted yes on the amendment.

JOHN FEARSON.

Subscribed and sworn to before me this 14th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne Co., Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Henry J. Stone, being duly sworn, says: That he lives in Detroit, 1069 St. Aubin avenue; that he voted "Yes," on the prohibitory amendment in ninth ward and fourth district, on the fourth day of April, 1887. That on that day and at that place intoxicating liquor was freely distributed and drank by the people. The anti-amendment men engaged in profanity, saying also, "Hang the blue ribbon sons of bitches." He had voted part of his ticket and was waiting to get other ballots when a howling mob

surrounded him, shouting and cursing, and forcibly pushed and crowded him three blocks away from the polls; shouting "Down with him, kill him, the son of a bitch." That he was also struck in the back with a brick, which severely injured him so that his back has been black and blue, and laid hands upon him and struck him several times with their fists, and he was unable to work for four days thereafter.

The ballot boxes were not in sight, and the intimidation was such that it was impossible to vote without endangering one's life.

H. J. STONE.

Sworn and subscribed to before me, a Notary Public for Wayne county, this 21st day of April, 1887.

T. H. BASKERVILLE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

T. A. Cole of 272 Beaubien street, Detroit, being duly sworn says that he voted "yes" on the question of the prohibitory amendment April 4th, 1887, at the 8d district of the 8d ward of said city.

He further says that while at the 8d district of the 5th ward he noticed that the polling place was held in a saloon. That he was in the room which contained the ballot-boxes in the afternoon about 8 o'clock, and saw men drinking in said room that which to the best of his knowledge and belief was whiskey and beer.

He further says that a man was behind the bar dealing out intoxicating liquors and the drinks was paid for by a man who stood at the end of the bar.

T. A. COLE.

Subscribed and sworn to before me this 16th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Charles J. Lowrie, of the city of Detroit, said county and State, being duly sworn, says that he is a duly qualified elector in said city, and that he was one of the organizers for the eastern part of the city, in the interest of the amendment on the 4th of April, 1887; that a part of his duty on that day was to visit each of the districts in the eastern part of said city, and see that amendment ballots were at the polls and amendment workers were there to furnish ballots to those who wanted to vote in favor of the amendment.

He further says that he visited each of the districts in said eastern part of Detroit, and that at nearly all of said districts men who were known to be in favor of the amendment were abused in the most shameful manner.

In the 8d, 6th, 7th, 9th and 11th wards the anti-amendment workers were out in full force, and could only be likened to a howling mob. He saw men who were supporting the amendment covered with tobacco spittle, and quids, scoffed and jeered at and driven from the polls.

When he drove up to the polling place in those wards he was greeted with yells of "Rats! "Rats!!" "There comes the damned blue bellied son of a bitch." They grabbed his ballots and tore them up, as they also did with the literature he was carrying around.

He further says that in many places he was forced to put the whip to his horse and drive away for fear of being mobbed.

That at Turner's Hall in the 7th ward, second district, he was struck in the back with a big block of wood that was hurled at him.

He further says that at three different occasions, said anti-amendment men tried to make him drink some whiskey which they carried with them in bottles, and that it was not an uncommon thing to see men with bottles filled or partly filled with whiskey trying to force amendment men to drink.

He further says that complaints were made by workers for the amendment at nearly all of the precincts that yes ballots were being destroyed; that the ballot boxes were not in sight of the voter, that the ballots handed in were substituted with another one and that voters were questioned as to how they were going to vote.

CHARLES J. LOWRIE.

Subscribed and sworn to before me this 16th day of April, A. D., 1887.

T. H. BASKERVILLE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Rev. C. E. Conley, pastor of the Clinton avenue Baptist church being duly sworn says that he had supervision over the amendment workers in the four voting precincts of the 11th ward of the city of Detroit, on the 4th day of April, 1887.

That when he appeared at the fourth precinct he was greeted with yells and jeers of the most insulting kind. The sight of his blue ribbon, which was a sign of the amendment workers, seemed to drive them mad.

He found there a German by the name of August Seinean, undergoing the most shocking tirade of oaths and jeers, his blue ribbon fluttering in the air and hand clutching the amendment ballots.

When he reached said Seinean the jeers, oaths and howls broke forth afresh; bottles of liquor were placed to their lips and at one time it seemed as though the vile liquor would be forced down their throats.

He further says that when he succeed in working their way out of the crowd he telephoned for additional help from the police.

When he returned the crowd rushed upon them with greater fury than before and tried to frighten them from the polls, and twice he found himself hemmed in by the crowd on one side and by a horse on the other which its driver undertook to drive over him as he is informed and believes.

He further says that he was compelled to retire from the polls to save himself from violence until the police arrived in the patrol wagon.

He further says that at said 4th district the crowd tried by intimidation, hoots, jeers, and by every means except personal violence to drive amendment men from the polls and prevent them from voting, and that the same state of things was largely true in the afternoon at the 8d district of said ward.

C. E. CONLEY.

Subscribed and sworn to before me this 18th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Samuel M. Emery of 325 Milwaukee Ave., Detroit, being duly sworn, says that he voted yes on the amendment prohibiting intoxicating liquors at the 4th district of the 3d ward April 4th, 1887, and while there he noticed the following irregularities:

First, The amendment box was not in sight and the voter could not tell what became of the ballot.

Second, The ballots were opened as they were handed in, thus depriving the voter of the legal privilege of a secret ballot.

Third, The crowd of anti-amendment men would crowd around the men and by intimidation try to induce them to vote no on the amendment.

SAMUEL M. EMERY.

Subscribed and sworn to before me this 16th day of April, A. D. 1887.

CHAS. J. LOWRIE,
Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Wm. H. Suit, being duly sworn says that he is an elector and resides in the city of Detroit. That on the 4th day of April, 1887, he was at the second polling district of the 9th ward for the purpose of supplying prohibitory amendment "yes" ballots to those who wanted to vote that way.

He further says the anti-amendment men were there and acted in a manner very unbecoming to American citizens.

Men who were known to favor the amendment were hooted and jeered at, intimidated and spit upon.

That they kicked him on the legs, stuck pins into his flesh, held his arms and tried to compel him to drink whisky.

That whisky was freely used by the anti-amendment men in that district all day.

WM. H. SUIT.

Subscribed and sworn to before me this 12th day of April, A. D. 1887.

CHAS. J. LOWRIE,
Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Robert A. Baskerville being duly sworn says that he is a resident of the city of Detroit and a duly qualified elector in the same.

He further says that on the 4th day of April, A. D. 1887, he spent a portion of his time in the first district of the Second ward and at the second district of the Ninth ward and says that at both of those places he saw ballots snatched from the hands of voters who were about to vote a yes ballot on the prohibitory amendment; that oaths of the most violent kind were used and directed against the blue ribbon workers; they were pushed and pulled about in a shameful manner, and would not be allowed to approach a voter for the purpose of soliciting a vote for the amendment.

ROBERT A. BASKERVILLE.

Subscribed and sworn to before me this 11th day of April, A. D. 1887.

CHARLES J. LOWRIE,
Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Henry O. Wills, of 316 Mullet street, in the city of Detroit, county aforesaid, being duly sworn says that he is a duly qualified voter, and voted yes on the amendment at the 2d district of the 9th ward, on the fourth day of April, 1887.

That he was at nearly all the voting districts of the eastern part of Detroit on said fourth day of April, and that he noted the following irregularities and misconduct:

First, At nearly all the voting districts the anti-amendment men could be compared with nothing but howling mobs. They did their best to drive amendment men from the polls and prevent them from voting by intimidation and fraud.

Second, At the 4th district of the 11th ward, the crowd gathered around his buggy and tried to upset it, and he had to appeal to the police for protection.

This attempt was repeated at the 2d district of the 9th ward.

That they threw mud and other substance at him at various places, hooted and jeered and called him names of the vilest character.

HENRY O. WILLS.

Subscribed and sworn to before me this 15th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

We, the undersigned residents of Detroit, State and County aforesaid, being duly sworn, severally depose and say each for himself, that they are duly qualified electors of said city, and voted in favor of the prohibitory amendment in the 2d district of the 5th ward on the 4th day of April, A. D. 1887.

That the form of the ballot they voted was as follows :

"Amendment to the Constitution relative to the PROHIBITION of the manufacture, gift, or sale of Spirituous, Malt, or Vinous Liquors, and the right of property therein—YES."

CHAS. F. FUMKE, 151 Russell street,

CHARLES EGO, 179 Macomb street,

JOHN C. DES ROCHES, 98 Sherman street,

ERNEST R. DES ROCHES, 98 Sherman street,

ALPHONSO A. RUDKICNRIZ, 207 Crogan street,

E. R. BATHRICK, 181 Catherine street.

Subscribed and sworn to before me this 18th day of April, A. D. 1887.

C. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Richard Long, of 1,069 St. Aubin St., Detroit, says that he voted "yes" on the amendment at the 9th ward, 4th district, April 4th, 1887, and that while at said district he noticed that the crowd of anti-amendment men there were doing their best by fraud, intimidation and vile language to frighten amendment men from the polls.

They snatched ballots from men who were known to favor the amendment, jostled them, and in one instance to deponent's knowledge, drove a man from the polls.

Deponent further says that the man's name who was driven from the polls was J. H. Stone. He succeeded in voting on the amendment as he is informed, but before he could vote on anything else he was forcibly shoved, pushed or carried from the polls about forty rods.

Deponent further says that there was frequent drinking and treating of intoxicating liquors in the crowd, and deponent avers that he was offered liquor several times during the day.

That there seemed to be a plan among the whisky people to prevent any one from voting anything but their ticket, and that deponent was twice driven from the polls before he could deposit his ballots.

R. LONG.

Subscribed and sworn to before me this 21st day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

We, the undersigned duly qualified electors of the city of Detroit, State and County aforesaid, being duly sworn, severally depose and say, each for himself, that he voted the following "Yes" ballot on the question of the prohibitory amendment in the 15th ward, 1st district, on the fourth day of April, A. D. 1887 :

"Amendment to the Constitution relative to the PROHIBITION of the manufacture, gift, or sale of Spirituous, Malt, or Vinous Liquors, and the right of property therein.—YES."

ALBERT TROLLOPE, 935 Larned street E.,

CHAS. M. SMITH, 143 Mt. Elliott ave.,

JOHN HOWIE, 145 Mt. Elliott ave.,

ROBERT BOLTEN,

F. KLEIN,

JOHN W. HOLMES,

OCTAVE FECTEAU,

JAMES O'NEIL,

H. PARKER,

ARCHIBALD W. DIACK,

REV. WILLIAM SMITH,

WM. H. SEXTON, 134 McDougall ave.,

JAMES WALKER,

EDWARD ^{his}(X) BARKLEY,
mark.

[Witness] C. J. LOWRIE,

W. THORBURN, 791 Congress street E.,

HERBERT C. WALKER, 894 Congress E.

Subscribed and sworn to before me this 13th day of April, A, D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Lewis Palmer of the city of Detroit being duly sworn says that he was a special reporter and as such he visited the 2d district of the 5th ward on the evening of the 4th day of April, 1887, and was present during the count of the amendment ballots prohibiting intoxicating beverages.

Alderman Jacobs emptied all the boxes. When the amendment box had been emptied on the table he saw five yes ballots at one time on the middle of the table.

Jacobs accused the people present of mixing the amendment ballots and they all said they had not.

Deponent further says that he saw another yes ballot after that, and he believes and has good reason to believe that the five yes ballots first referred to were either counted with the no ballots or were thrown out.

LEWIS W. PALMER.

Subscribed and sworn to me this 14th day of April, A. D. 1887.

C. J. LOWRIE,

Notary Public, Wayne County, Miceigan.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Wm. H. Stockman, of 175 Cherry street, Detroit, being duly sworn, says that he voted yes on the amendment on the 4th day of April, 1887, at the 8d district of the 6th ward of said city.

Deponent says that the ballot boxes at said district were not in sight to the voter, and it was impossible to see what became of the ballot when it was passed into the inspector's hands.

WM. A. STOCKMAN.

Subscribed and sworn to before me this 21st day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Wm. W. Smith of the city of Detroit, county aforesaid, being duly sworn, says that he worked for the interest of the amendment prohibiting intoxicating liquors, in the eastern part of said city on the 4th day of April, 1887.

That he visited each of the voting districts in said eastern half of said city, and was everywhere greeted with vile, low oaths, cries for eggs, and was in several districts pelted with dirt. On two occasions he was seized by anti-amendment workers, and held while others tried to force him to drink whisky, and that it was very common to see whisky bottles in nearly every district in said eastern part of said city.

That he was in nearly every district threatened of being mobbed and egged, and in many places he was compelled to drive away as fast as he could in order to escape from injury.

That while at Turner's hall in the afternoon in company with H. O. Wills, the mob gathered around the buggy and seized hold of Mr. Wills and would have dragged him out if the police had not interfered.

That while in the 8d district of the 5th ward they unsnapped one of the lines of his horse, and put a long stick between the spokes of the two hind wheels of his buggy, and then yelled and hooted at the horse and tried to scare him, and it was only by a providential circumstance that he was saved from a runaway.

WM. W. SMITH.

Subscribed and sworn to before me this 12th, day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Curtis Brace, of 180 Fremont street, of the city of Detroit, being duly sworn says that he voted yes on the prohibitory amendment April 4th, 1887, at the 4th district of the 8d ward of said city.

Deponent further says that the voters at said district were deprived of the privilege of a secret ballot, the inspectors opening them as they were handed in.

Deponent says that one of the inspectors at said district came outside and handed a bundle of No ballots to one of the workers against the amendment and said, "I don't want you to get out of the No ballots, (by God.)"

He further says that the crowd about the polls acted in such a manner, by using low, vile and obscene language, oaths, jeers and many expressions that were calculated to drive away or frighten those who wanted to vote a yes ballot.

CURTIS BRACE.

Subscribed and sworn to before me this 20th day of April, A. D., 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Michigan.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Franklin A. Fisk of the city of Detroit, county aforesaid, being duly sworn says that while at the 1st district of the 6th ward last election day, April 4th, 1887, he saw Mr. F. Besancon, a wood and coal dealer, attempt to vote.

A number of saloon keepers were there and they knew how he was going to vote and at once set up a cry that he was a wood and coal dealer and that they would not patronize him any more if he voted yes.

Deponent further says that he heard one young man say that he had already ordered coal of him and that he would now cancel the order.

Deponent also says that quite a number of people were standing by and heard these remarks.

FRANKLIN A. FISK.

Subscribed and sworn to before me this 19th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Rev. George W. Barlow, pastor of the Calvary Presbyterian church of Detroit, and a duly qualified elector, being duly sworn, says that he was present at the 3d precinct of the 12th ward a good portion of the day April 4th, 1887.

That while there deponent noticed the following irregularities in regard to the conduct of the election.

First, The ballot box into which the votes on the amendment prohibiting intoxicating liquors were put, was not in sight, so that it was impossible for the voter to know what disposition was made with his ballot thus in the opinion of deponent leaving room for the fraudulent disposition of the ballots.

Second, Deponent further says that he attempted to supply the Republican headquarters with Yes ballots and has good reason to believe they were destroyed. That he saw open drinking at the polls of intoxicating liquors; that there was public treating from bottles in the crowd, and he saw men frequently going in and coming out of saloons.

GEO. W. BARLOW.

Subscribed and sworn to before me this 20th day of April, A. D., 1887.

CHAS. J. LOWRIE.

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Sidney Granger, of Detroit, being duly sworn says, that he was at the third district of the twelfth ward, April 4th, 1887, and that he noticed that the boxes into which was deposited the ballots of the voters were not in sight—from the position in which the voters stood.

Deponent says that he protested against it but was told that it could not be helped.

Deponent further says that he saw men frequently drinking intoxicating liquors about the polls and treating others.

That he spoke to a policeman about it but was told that he could not do anything unless they got drunk, if they got drunk he said he would take care of him.

Deponent further says that Yes ballots were destroyed and that vile language was used towards those in favor of the amendment, and they tried by threats and intimidation to drive the amendment men from the polls. **SIDNEY GRANGER.**

Subscribed and sworn to before me this 19th day of April, A. D., 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Robert Bolton being duly sworn says, that he is a duly qualified elector and resides in the first district of the 18th ward, 168 Mt. Elliott ave., city of Detroit.

He further says that on the 4th day of April, 1887, he voted in favor of the amendment to the constitution prohibiting the traffic in intoxicating liquors. He further says that when he handed in his yes ballot, Robert Frost, one of the inspectors of the polls, took the ballot and thrust his (Frost's) hand out of the window with the said yes ballot and said, "Take it back, you can put in a no if you want to." Deponent said, "Put this yes ballot in that I gave you."

Deponent further says that he is unable to say whether the ballot was put in or not, for he could not see the box in which it was deposited.

ROBERT BOLTON.

Subscribed and sworn to before me this 12th day of April, A. D, 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne county Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

We, the undersigned, residents and duly qualified electors of the city of Detroit being duly sworn severally depose and say, each for himself, that he voted yes on the prohibitory amendment on the 4th day of April, A. D. 1887, at the 2nd district of the 5th (fifth) ward, and that the form of the ballots they voted was as follows :

Amendment to the constitution relative to the prohibition of the manufacture, gift, or sale of spirituous, malt, or vinous liquors, and the right of property therein,—yes.

JOSEPH H. DICKERSON, 165 Mullet-st,

ROBERT L. WARING, 165 Mullet-st.

Subscribed and sworn to before me this 16th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne Co., Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

John Daly, of 148 Wabash avenue, Detroit. being duly sworn says, that he is a duly qualified elector of the city of Detroit, and voted no on the prohibitory amendment at the 1st district of the 8th ward on the 4th day of April 1887.

That he is acquainted with John Walsh who keeps saloon at No. 257 Baker street in said city, having sold him the place he now owns and runs for a saloon, and having known him for eleven years.

He further says that John Walsh, Thos. Ferley, Wm. Dwyer and himself all went to the polls of said first district of the 8th ward and voted.

He further says that he saw said Walsh put his ballots through the window into the hands of the inspector. And further this deponent says not.

JOHN DALY.

Subscribed and sworn to before me this 15th day of April, A. D., 1887.

CHAL. J. LOWRIE,

Notary Public, Wayne County, Michigan.

Witness by C. J. Lowrie, Otto A. Stark.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

We, the undersigned residents of Detroit, being duly sworn, severally, depose and say, each for himself, that they are regularly qualified electors, and reside in the first voting district of the 18th ward in said city.

They further say that they voted yes on the prohibitory amendment on the 4th day of April, 1887, and that the form of their ballot was as follows:

“Amendment to the Constitution relative to the PROHIBITION of the manufacture, gift, or sale of spirituous, malt, or vinous liquors, and the right of property therein —YES.”

THOS. CRANE, 795 Congress street.

JOHN LAMBERT, 868 Congress.

H. F. BAIRD, 880 Fort street east.

THOMAS ORR, 981 Jefferson ave.

WILLIAM HAMMOND, 981 Jefferson ave.

J. B. CROWLEY, 980 Jefferson ave.

W. A. McCULLAGH, 981 Jefferson ave.

H. T. GAY, 974 Jefferson ave.

E. G. SWIFT, 920 Jefferson ave.

G. W. MUTTER, 920 Jefferson ave.

FRED G. STENTON, 982 Jefferson ave.

Subscribed and sworn to before me this 15th day of April, A. D. 1887.

W. H. SEXTON

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

O. J. Trollope being duly sworn, says that he voted yes on the amendment at the place and time indicated above, and that the ballot he cast was the same as the one in the above affidavit.

O. J. TROLLOPE.

Subscribed and sworn to before me this 19th day of April, A. D. 1887.

CHARLES J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Wm. W. Ellis, of No. 35 20th street, Detroit, being duly sworn, says that he voted yes on the prohibitory amendment April 4th, A. D. 1887, at the 1st district of the 12th ward.

He further says that he was present and witnessed the count in said district, and that the board first sorted the yes from the no ballots and found there were 270 no ballots and yes ballots 108, making a total of 378. This was nine more than was on the tally sheet, and they took out six no ballots and three yes ballots.

WM. W. ELLIS.

Subscribed and sworn to before me this 14th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE,

Geo. Suttie of 677 Clinton avenue, Detroit, being duly sworn says that he voted yes on the prohibitory amendment in the 2d district of the 18th ward.

That in said district on the 4th day April last he saw one of the inspectors drop the yes ballot of Thos. Burgess and put another in the box.

He was present at the count and saw the inspector count 259 ballots and the talley sheet called for 255, and that the inspectors took out two yes and two noa.

He further says that the ballots were sorted and opened before any were thrown out.

GEORGE SUTTIE.

Subscribed and sworn to before me this 16th day of April, A. D. 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Michigan.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Arthur Barnes of the city of Detroit, county aforesaid being duly sworn says, that he is a regular qualified elector of said city, and that he spent a portion of the fourth day of April, A. D. 1887, at the polls in the first district of the sixth ward.

That while working there he was sworn at, and called low, vile names, and was abused and maltreated the entire time he was there.

That while talking with David Preston, some man, whose name is not known, seized him by the nose and pulled him four (4) or five (5) feet. That he received a blow in the back by some heavy instrument so that he was sore and lame for several days, and that a large piece of skin was knocked off his back where he was struck. He further says that his life was threatened at a number of different occasions.

ARTHUR J. BARNES.

Subscribed and sworn to before me this 15th day of April, A. D., 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Rev. Louis Anger, a duly qualified voter of the city of Detroit, being duly sworn says, that he was at the first district of the ninth ward, on the 4th day of April, 1887.

That during the time he was there he was intimidated by the anti-amendment men. They tried to make him drink intoxicating liquors; they snatched yes ballots from his hand and tore them up, called him vulgar names, and did their best to frighten all who favored the amendment prohibiting intoxicating liquors, from the polls.

He further noticed that the boxes into which were deposited the ballots, were not in sight to the voter and they could not see where their ballots were put.

He further says that three saloons in the immediate neighborhood, one across the street, were open and men were going in and out all day long.

LOUIS ANGER.

Subscribed and sworn to before me this 16th day of April, A. D., 1887.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Michigan

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Dr. L. B. Childs of 138 Cass street, Detroit, Mich., being duly sworn says, that he voted for the prohibitory amendment in the 5th district of the 2d ward, on the 4th day of April last.

He further says that saloon keepers and bummers were out in full force at said district and that it was impossible for a citizen to peaceably vote in favor of the prohibitory amendment during the time he was there.

Threats of violence were freely and frequently indulged in. He was told not to vote that ticket for the amendment there that day. This was said repeatedly in a threatening manner. Six or seven men, mostly saloon keepers, formed in a line and for a long time kept him away from the polls.

He further says that he saw a colored man's ballot yes substituted by a no ballot. The man was just ahead of him.

DR. L. B. CHILDS.

Subscribed and sworn to before me this 14th day of April, A. D. 1887.

CHAS. J. LOWRIE,
Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Luther H. Trowbridge, editor of the Christian Herald of Detroit, says that while at the 4th voting district of the 1st ward on the 4th day of April, 1887, he noticed a gang of men working against the amendment prohibiting intoxicating liquors, and that the methods they employed were such that would have a tendency to intimidate voters and prevent them from exercising their free will in voting, and that it was exceedingly difficult for a man to vote if he was known to favor the amendment.

He further says that he saw frequent treating among said men, and that they frequently threatened to pour some of the intoxicating liquor in his throat.

His blue ribbon was violently snatched from his coat, and vile, low language was used toward himself and other workers for the amendment.

He further says that he has no doubt that bribery was carried on at the said polls all day long; that it was common talk among the lower class of anti-amendment men that they were paying from one to one and one-half dollars for a vote.

That from what he saw and heard he was thoroughly convinced that votes were being bought.

LUTHER H. TROWBRIDGE.

Subscribed and sworn to before me this 18th day of April, A. D., 1887.

CHAS. J. LOWRIE,
Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

William Ball, of 649 Vinewood avenue, being duly sworn, says he is a qualified elector of the city of Detroit and voted at the second district, fourteenth ward, on 4th day of April last, and noticed that the ballot box for the prohibitory amendment was not visible—saw several men intoxicated; saw intoxicating liquors freely given away; heard vile and profane language used by anti-amendment men; voting was in a saloon building; saw one drunken man arrested; saw a saloon keeper put a bottle of liquor into his own pocket after several had drank out of it; saw a man deposit ballots for several other men who were grouped together and evidently could not read their own ballots.

WILLIAM BALL, 64 Vinewood ave.

Sworn and subscribed to before me, a notary public for Wayne county, this 22nd day of April, 1887.

T. H. BASKERVILLE,
Notary Public.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE,

Lyman J. Wightman, of 129 Myrtle street, Detroit, being duly sworn, says, that he was at the polling place in the third precinct of the eighth ward at the opening of the polls April 4, 1887.

That the names of one Carroll and Mike Faber were proposed in quick succession in the order named, immediately after the assembly was called to order by Alderman Lally, and an amendment was immediately offered to substitute the name of Charles Roney, each name being proposed as a member of the board of inspectors.

Alderman Lally then refused to put the question on the name of said Roney, saying "we don't recognize the amendment," and put the question on the name of Faber, when about fifteen by liberal estimate voted aye, and when the nay vote was called about thirty-five as a low estimate voted no. Notwithstanding this Faber was declared elected and said alderman refused to put the question on the name Roney against the protest and indignation of a large number of electors.

Deponent further says that the ballot boxes were ranged back from the window so that only the first was clearly distinguishable, and that the amendment box was not distinguishable, making it doubtful what became of the ballot after it was handed to the inspector, and this in the opinion of deponent leaving much room for fraud.

L. J. WIGHTMAN.

Sworn and subscribed to before me this 22d day of April, 1887.

T. H. BASKERVILLE,

Notary Public for Wayne County, Mich.

From Detroit Free Press, April 11, 1887.

THE OFFICIAL CANVASS.

THE PROHIBITIONISTS ASK AND RECEIVE BACK THE PROTEST FILED WITH THE COUNTY CANVASSERS.

BASKERVILLE'S WILD CLAIM ON BEHALF OF THE PROHIBITIONISTS.

The board of county canvassers resumed its session in the council chamber at 12 o'clock yesterday and heard the reports of the committees appointed to foot the canvassed vote, as given in yesterday's Free Press.

Ald. Finney moved to reconsider the vote by which the protest of the Prohibitionists was placed on file the day previous, and Ald. Jacob supported the motion, but wished to have it set forth that the protest was returned at the suggestion of C. A. Newcomb, President of the Prohibition Association of Wayne county. Mr. Jacob was in favor of treating the Prohibitionists with due courtesy, but wanted the motion to set forth the facts. Mr. Finney accepted the amendment.

Ald. Amos thought the Prohibitionists had been treated with too much courtesy. The filing of the protest by an insignificant handful of cranks, as he termed them, was an act of discourtesy in itself. These people sought to dictate what a man should eat and drink, and he thought the people would be justified in stuffing ballot-boxes or using clubs to prevent the carrying out of any such ideas.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Lewis Urquhart being duly sworn, deposes and says, I have resided in Detroit for two years. I am a native of Scotland, and worked for one firm, D. McAndrew at Aberdeen, 120 Wall street seventeen years. I was employed to work for the prohibitory amendment and tried to do so. I worked at first precinct, 7th ward, part of the day and was sent to one of the Gratiot precincts. I wore the blue ribbon; while there I was burned on the neck with a cigar; I had quids of tobacco put in my pockets and on my person. I was called by vile opprobrious names, and was threatened to string me up to a pole. I was not permitted to do my work, and was hooted and insulted. I returned to the 1st precinct, 7th ward, and there while peaceably aiding an aged voter, at his request (Daniel Walker), to reach the polls, was set upon by Jeremiah Ewing, a policeman, thrown with great violence on my back, and when I arose and demanded his name and number, was again seized by him and beaten or kicked and taken a prisoner to a patrol box and given in charge of Officer Emory A. Brooks, with the command, "If he resists, give him one on the head." Was imprisoned in a cell all day and night and confined until Wednesday noon following, when I was released on bail.

That my trial was had on April 14 following, by a jury in the police court "For creating and exciting a contention and disturbance" and was promptly acquitted. Not one witness of the six who gave evidence for the prosecution swore that I created or excited any contention or disturbance. While five witnesses for defendant swore I was peaceable and orderly. The Rev. Mr. Wallace, Rev. Mr. Spencer, and others testified to my general reputation as a peaceable, law-abiding citizen.

LEWIS URQHART.

Subscribed and sworn to before me this 17th day of April, 1887.

E. J. MCKENDREN.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Rev. Chas. E. Mitchell, pastor of the Asberry M. E. Church, being duly sworn says, that he voted yes on the question of the amendment prohibiting intoxicating liquors, at the 4th district of the 9th ward on the 4th day of April, A. D. 1887. That he saw several men drunk on that day and at that polling place; that he was surrounded by a mob, some one of whom knocked his hat off, started with him down the street, evidently to run him away from the polling place, but the police interfered and he was liberated.

And further, a German voter asked him for an amendment yes ballot which was given to him. The mob got him away, and some one of them destroyed the ballot. The same voter came to Mitchell the second time and again procured another yes ballot, which was evidently destroyed. The same voter came the third time and secured from Mitchell another prohibitory amendment yes ballot, which he tried to deposit in the proper box. Mitchell endeavored to assist him so to do, but the voter was rustled away from the polling place, and Mitchell has reason to believe that he was not permitted to vote that ballot.

When Mitchell gave the German voter the yes ballot, several different persons in the crowd said to him, "No, no, you do not want to vote that way." In Mitchell's judgment that voter could not have voted according to his own wish at the polling place and on that day on account of the intimidation of the anti-amendment voters.

REV. C. E. MITCHELL.

Subscribed and sworn to before me a notary public for Wayne county, Michigan, this 9th day of May, 1887.

THOMAS H. BASKERVILLE,
Notary Public Wayne Co.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Albert Trollope being duly sworn, says, that he is an elector and voted in the first district of the thirteenth ward, on the 4th day of April, 1887.

He further says that he saw a blind man come to the polls to vote, and he said he would not vote at all on the amendment, as he did not understand it. Notwithstanding this the inspector, in spite of protest, put in a no ballot against the amendment, prohibiting intoxicating liquors.

Deponent further says that he has somewhat interested himself in the returns made by the inspectors of said district, and was very much surprised that but seventeen votes were cast for the amendment, or that this was the number cast according to the return.

He believes, and has good reason to believe, that the friends to the amendment have been cheated and defrauded out of their just rights.

Deponent says that he went around among the voters in said district after the election and secured the affidavits of forty duly qualified electors, who swore they voted yes on the amendment; and that he talked with seventeen more duly qualified electors who stated to him that they voted the same way;—yes on the amendment; that they are men who are perfectly reliable and are known to this deponent personally.

That deponent has their names and addresses but did not get their affidavit, because they did not wish it to become public that they voted that way on account of business and other relations.

ALBERT TROLLOPE.

Subscribed and sworn to before me this — day of April, A. D., 1887.

THOMAS H. BASKERVILLE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

John Lambert and Albert Trollope, residents and electors of Detroit, being duly sworn severally depose and say, that they saw Joseph Bordnyon vote at the 1st district of the 13th ward in the city of Detroit on the 4th day of April, 1887.

Deponents further say that we were present and heard the instructions given to the inspectors of said district in said ward, that he said Bordnyon did not wish to vote either way on the question of the amendments to the constitution relative to the liquor question, but notwithstanding such instructions said inspector took a no ballot and placed the same in the box. and on being remonstrated with by one of deponents—Lambert—said inspector said he would count it out in counting the ballots.

JOHN LAMBERT,

ALBERT TROLLOPE.

Sworn and subscribed before me this 22d day of April, 1887.

W. H. SEXTON,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

Joseph Bordignon of 101 Adair street, Detroit, being duly sworn says, that he is a blind man, and that he was led to the first precinct of the 13th ward April 4th, 1887, for the purpose of voting; that the ballots were read over to him, and when he came to the ballots on the prohibitory amendment he distinctly told them, the inspectors, that he did not wish to vote either way.

Deponent further says that he did not wish to vote no on the amendment and if any vote was cast by any one for him on that question, it was without any authority whatever.

his
JOSEPH X BORDINGTON.
mark.

Subscribed and sworn to before me this 22d day of April, A. D., 1887.

W. H. SUTON,

Notary Public, Wayne County, Michigan.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

We, the undersigned, residents and duly qualified electors of Detroit, county and State aforesaid, being duly sworn severally, depose and say each for himself that he voted yes on the amendment prohibiting intoxicating liquors, on the 4th day of April, 1887, at the first district of the 5th ward in said city.

Deponents further say that the form of their ballots was as follows:

Amendment to the Constitution relative to the PROHIBITION of the manufacture, gift or sale of Spirituous, Malt or Vinous Liquors, and the right of property therein.
—YES.

Jos. G. Williams Jr.,
Frank H. Sumner,
D. M. Cooper,
Luther Beecher,
Paige O. Eaton,
Frank Butwick,
Frederick Zabriskie.

On the 20th day of April, A. D., 1887, the above named Jos. G. Williamson, Frank H. Sumner and Luther Beecher appeared before me, on said 20th day of April, A. D., 1887, and subscribed and swore to the above affidavit.

CHAS. J. LOWRIE,

Notary Public, Wayne County, Mich.

On this 20th day of April, A. D. 1887, the above named P. O. Eaton, Frank Futterwick and Frederick Zebruki appeared before me and subscribed and swore to the above affidavit.

T. H. BASKERVILLE,

Notary Public, Wayne County, Mich.

James K. Hamilton, 160 Rivard st., R. O. Wheeler, 445 Jefferson ave. and Mr. Roder 228 Fort st. east, voted yes in said district but their names cannot be obtained to the above affidavit.

C. J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

John Daly, of 148 Wabash avenue, Detroit, being duly sworn, says that he is a duly qualified elector of the city of Detroit, and voted no on the prohibitory amendment at first district of the eighth ward on the 4th day of April, 1887.

That he is acquainted with John Walsh who keeps a saloon at No. 257 Baker street, in said city, having sold him the place he now owns and runs for a saloon, and having known him for eleven years. He further says that John Walsh, Thomas Feeley, Wm. Dwyer and himself all went to the polls of said first district of the eighth ward and voted.

He further says that he saw said Walsh put his ballots through the window into the hands of the inspector, and further this deponent says not.

JOHN DALY.

Subscribed and sworn to before me this 15th day of April, A. D. 1887.

CHARLES J. LOWRIE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE, } ss.

I, William P. Lane, clerk of said county, and clerk of the circuit court for the county of Wayne, which is a court of record having a seal, do hereby certify that Charles J. Lowrie, whose name is subscribed to the jurat of the annexed instrument, and therein written, was at the time of taking such jurat, a notary public in and for said county, duly commissioned and qualified, and duly authorized to take the same. *And further,* That I am well acquainted with the handwriting of such notary public, and verily believe that the signature to the said jurat is genuine.

In testimony whereof, I have hereunto set my hand and affixed the
[L. s.] seal of said court and county, at Detroit, this 27th day of April, A. D.
1887.

WILLIAM P. LANE,
Clerk.

STATE OF MICHIGAN, }
COUNTY OF WAYNE, } ss.

William H. Sexton being duly sworn, deposes and says that he resides in the first district of the thirteenth ward of Detroit, and a qualified voter. That on the 4th day of April last he was requested by the temperance or amendment workers to view the counting of the votes in said district to see if all the votes were properly credited which had been cast; that accordingly having consented to do so, he, said Sexton, was given a table with proper lights immediately adjoining the table on which the ballots were being counted. That not to be outdone in the cordiality with which these facilities were extended to him he assisted in making returns. That while so engaged he gave careful attention to the counting of all ballots, and during the count saw no suspicious actions on the part of any of the inspectors, but when the number of ballots cast for the amendment was announced as seventeen, he, said affiant, immediately expressed surprise at the small number, and called attention to the fact that many yes ballots were mingled with the nos, but was assured by the inspectors that the votes in question were the same as were announced—*having fallen over.*

Affiant asked one of the inspectors, in whom he had every confidence, if he knew such to be the case, and he assured affiant that he was *sure.* Said affiant further says, that on his suggestion, if a recount could be avoided, he had no desire to unnecessarily delay matters. An uproar was created by some outsiders and the ballots were at once placed in the box for sealing up.

Said affiant was then induced to think the count correct, but having visited a large number of voters who have declared that they voted yes—many of whom have made affidavits—to wit: more than 40 persons—he now believes a recount would show a very large error in the count in that district, in said ward; and further says not.

W. H. SEXTON.

Sworn and subscribed before me, this 10th day of May, 1887.

THOMAS H. BASKERVILLE.

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, }
COUNTY OF WAYNE, } ss.

William W. Tracy, being duly sworn, testified as follows: I live in the city of Detroit,

corner Third and Antone streets, Detroit; am a duly qualified elector; voted yes on the prohibitory amendment on the 4th day of April, 1887 in third ward, 4th precinct; saw the following irregularities:

First, The ballots were opened by the inspector against the protest of several different voters.

Second, The proprietor of the building in which the polling place was held said publicly that that was his saloon, and he could keep it open as long as he had a mind to.

WILL W. TRACY.

Sworn and subscribed to before me, a notary public for Wayne county, Mich.

THEO. H. BASKERVILLE,

Notary Public, Wayne County, Mich.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

I, William P. Lane, clerk of said county, and clerk of the circuit court for the county of Wayne, which is a court of record, having a seal, do hereby certify that Thomas H. Baskerville, whose name is subscribed to the jurat, of the annexed instrument, and therein written, was, at the time of taking such jurat, a notary public in and for said county, duly commissioned and qualified, and duly authorized to take the same. *And further*, That I am well acquainted with the handwriting of such notary public, and verily believe that the signature to the said jurat is genuine.

In testimony whereof, I have hereunto set my hand and affixed the
[L. S.] seal of said court and county, at Detroit, this 27th day of April, A. D., 1887.

WM. P. LANE, *Clerk*.

STATE OF MICHIGAN, } ss.
COUNTY OF WAYNE.

Thomas H. Baskerville being duly sworn says, that he is a duly qualified voter residing in the city of Detroit, and that he is secretary of the "Wayne county amendment association" and is a clergyman. That he has examined the list of saloon keepers as appears in the county treasurer's office of said county, and compared them carefully with the list of polling places for the last election held in said city, and that the annexed printed list of polling places are all at saloons whose proprietors are accredited with having paid their saloon tax for last year including the 4th day of April last past, and further says not.

THOMAS H. BASKERVILLE.

Sworn to and subscribed before me this tenth day of May, A. D., 1887.

W. L. SEXTON,

Notary Public, Wayne County, Michigan.

First ward—First district—At the house of Louis B. Gnau, 1364 Woodward avenue.

First ward—Fifth district—At the house of Chas. Kohn, No. 28 Monroe avenue.

Second ward—Fourth district—At the House of W. V. James, No. 52 Grand River avenue.

Third ward—First district—At the house of C. Guth, corner of Congress and Hastings streets.

Third ward—Second district—At the house of Frank Katus, corner of Croghan and Hastings streets.

Third ward—Third district—At the house of Andrew Eberhart, No. 399 Antoine street.

Third ward—Fourth district—At the house of Charles Belohlavek, No. 613 Antoine street.

Fifth Ward—First district—At the house of John Dunnebacke, corner Franklin and Rivard streets.

Fifth ward—Second district—At the house of Jacob Voelker, corner of Catherine and Rivard streets.

Fifth ward—Third district—At the house of Matthew Delker, corner of Pearl and Prospect streets.

Fifth ward—Fourth district—At the house of Jacob Wincke, corner of Prospect and Illinois streets.

Sixth ward—First district—At the house of John Gutekunst, No. 296 Woodbridge street.

Sixth ward—Second district—At the house of Henry Millen, corner of Michigan avenue and Seventh street.

Sixth ward—Fourth district—At the house of Eugene Muffatt, corner Seventh and Fulton streets.

Seventh ward—First district—At the house of Charles F. Funk, corner of Orleans and Fort streets.

Seventh ward—Second district—At the house of Fred Becker (Turner hall), No. 136 Sherman street.

Eighth ward—Second district—At the house of George W. Maltz, No. 457 Michigan avenue.

Eighth ward—Third district—At the house of D. Ferguson, corner of National avenue and Ash street.

Ninth ward—First district—At the house of Rimy Bourgeois, southwest corner of St. Aubin avenue and Croghan street.

Ninth ward—Second district—At the house of George Kopp, 464 Clinton avenue.

Ninth ward—Third district—At the house of John Maass, 668 Gratiot avenue.

Ninth ward—Fourth district—At the house of Anthony Blaik, 629 St. Aubin avenue.

Tenth ward—Second district—At the house of Matthew Embach, corner of Seventeenth street and Michigan avenue.

Tenth ward—Third district—At the house of Napoleon Pepin, corner of Myrtle and Fifteenth streets.

Tenth ward—Fourth district—At the house of Jacob Youngblood, corner of Sixteenth and Poplar streets.

Eleventh ward—First district—At the house of James Holihan, corner of Franklin street and Joseph Campau avenue.

Eleventh ward—Second district—At the house of Jacob Heck, corner of Macomb street and Joseph Campau avenue.

Eleventh ward—Third district—At the house of Henry Gerold, No. 416 Ohene street.

Eleventh ward—Fourth district—At the house of Gustav Groehn, No. 524 Ohene street.

Thirteenth ward—First district—At the house of John Hammell, No. 969 Jefferson avenue.

Thirteenth ward—Third district—At the house of Charles Graessle, 949 Gratiot avenue.

Fourteenth ward—First district—At the house of Frederick Griesbach, corner of Dix and Indian avenues.

Fourteenth ward—second district—At the house of August Shaffer, Dix avenue, near McKinstry avenue.

Fifteenth ward—Third district—At the house of Jacob Krehwisch, No. 2000 Gratiot avenue.

Sixteenth ward—Second district—At the Amos House, Junction avenue.

Thirteenth ward—Second district—At the house of Andrew Brandau, No. 715 Croghan.

To the Legislature of the State of Michigan :

We, the undersigned, legal voters of the township of Warren, Macomb county, and State of Michigan, do hereby petition your honorable body to order an investigation of the legality of the vote of said township, cast on April 4th last, and of the returns of said vote for the following reasons, to wit: We are credibly informed and believe that,

First, Ballot or ballots were deposited in the ballot box after the polls were declared closed in defiance of the protest of one of the inspectors and without going into the hands of the supervisor.

Second, There was but one poll or tally list kept, and that did not show what votes were cast by the several voters, so that if any one did not vote either ballot the ballot box could not be "stuffed" without any means of detection.

Third, Many of the votes were deposited without going into the hands of the voters.

Fourth, The vote was not a secret one as required by law (a.) Tickets received folded were unfolded by the supervisor (b.) Certain parties on depositing their vote on prohibitory amendment were asked whether it was for or against said amendment (c.) A large number of votes were cast without being folded, thus destroying the chances of detecting double votes.

Fifth, Votes sticking together and apparently never having been separated were counted.

Sixth, Certain votes deposited in the wrong box were burned and not counted.

Warren, Mich., April 14, 1887.

A. Barton,
George B. Walker,
Elijah Davy,
W. E. Norris,
John M. Hulsey,
John Brewer,
Robert Tharrett,

H. W. Mason,
Phineas Walker,
L. L. Houghton,
Alonzo Tharrett,
Haywood Whipple,
G. B. Chipchase,
P. E. Halsey.

STATE OF MICHIGAN, } ss
COUNTY OF WAYNE, }

Robert Tharrett, of the township of Warren, in said county and State, being duly sworn, doth depose and say, that I am a qualified voter in said township, and as such attended the polls in said township on the 4th day of April, instant, from the opening until the closing of the same, and I personally saw one of the inspectors of said election at said polls take a ballot from the table and place it directly in the ballot box provided at said polls for the reception of ballots, relative to the adoption of the proposed amendment to the constitution, relative to the prohibition of the manufacture, gift or sale of spirituous, malt, or vinous liquors, and the right of property therein. Said ballot was not folded. After said polls were closed on said day and the ballots in said ballot box taken out for the purpose of counting the same, I saw one lot of four ballots closely adhering together with ends and sides not projecting one beyond the other, but all having the appearance in every respect of having been cast at the same time

and by the same person, and not folded in any manner, which said ballots were none of them thrown out, but were each and every one of them against said proposed amendment.

I also saw the ballots on said proposed amendment when they were emptied out from said ballot box ; and in my best judgment fully one-half and more of said ballots were not polled, nor did they have the appearance of having ever been polled.

And further deponent saith not.

ROBT. THARRETT,

Sworn and subscribed before me this 9th day of April, A. D. 1887.

WM. H. FRASER,

Notary Public for Shiawassee Co.

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } ss.

I, Levi L. Houghton, of Warren, in Macomb county, Michigan, being duly sworn doth depose and say, that I am a qualified voter in said township, and as such attended the polls in the said township on the 4th day of April, instant, and that I then and there on that day saw one of the inspectors of election at said polls take on several occasions ballots from the table, and not from any elector, against the proposed amendment relative to the prohibition of the manufacture, gift, or sale of spirituous, malt, or vinous liquors and the right of property therein, and put the same in the ballot box provided and used at said polls for the reception of ballots for and against said proposed amendment ; and I also saw said inspector of election put into said ballot-box numerous ballots that were not polled in any manner whatever, nor as the law specially requires. I also heard the proper officer announce the closing of said polls on said day, and afterwards saw one of the inspectors of said election at said polls place and put a ballot into said ballot box aforesaid, which ballot he did not receive from any other person, and that he so deposited said ballot aforesaid against the protest of one of the other members of said board of election, and with the full knowledge that said polls had been declared closed.

That there was no tally list kept at said polls on said election day of the votes cast on said proposed amendment. And further deponent saith not.

LEVI L. HOUGHTON.

Subscribed and sworn to before me this 9th day of April, A. D. 1887.

WM. A. FRASER,

Notary Public in and for Shiawassee, County, Michigan

Referred to the committee on judiciary.

No. 1224. By Mr. Bentley: Petition of Henry S. Church, D. S. Dell, Wm. Jorn and many others of Sturgis, Mich., for the passage of House bill No. 909 providing for the reduction of exemption allowed married men in garnishee cases.

Referred to the committee on judiciary.

No. 1225. By Mr. Stuart: Petition of John Todd and numerous others asking for the passage of Mr. Bettinger's House bill No. 334 (file No. 299), relative to free school books ;

Also,

No. 1226: Petition of K. of L. Assembly 1086, same subject.

Referred to the committee on education.

No. 1227. By Mr. Bettinger: Petition of Ferdinand Anos, Joseph Eckert, and 41 others, asking for the passage of the Bettinger bill No. 334 relative to free school books in the city of Detroit.

Referred to the committee on education.

No. 1228. By Mr. Killeen: Petition of Voigt & Rathman and Frey Brothers, brewers, of Grand Rapids, against taxing the business of manufacturing lager beer.

Referred to the committee on liquor traffic.

REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 577, entitled

A bill to amend chapter No. 267 of Howell's annotated statutes by adding seven sections thereto, relative to homesteads of deceased persons, and providing for the sale thereof in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to amend chapter No. 193 of the compiled laws of 1871, being chapter 267 of Howell's annotated statutes, by adding four new sections thereto, relative to the sale of homesteads for the payment of debts of deceased persons, and expenses of administering their estates,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Diekema,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

House bill No. 342, entitled

A bill to provide a punishment for persons charged, upon information or indictment in the courts of record having criminal jurisdiction in this State, with assault with intent to commit the crime of murder, rape or robbery, and acquitted thereof, but convicted of assault and battery,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Lakey,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 914, entitled

A bill to prohibit and prevent garnishee proceedings in cases of money, property or indebtedness by reason or on account of the personal labor of another,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The bill was laid upon the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 569, entitled

A bill to provide against the recovery of damages done by beasts on lands which are not enclosed by a lawful fence,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Haskin,

The bill was laid upon the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 176, entitled

A bill to prohibit judges of courts of record from receiving pay other than their official salary, and from giving advice in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House joint resolution No. 12, entitled

Joint resolution directing the Board of State Auditors to settle a claim of the Northwestern Manufacturing Company of the city of Detroit, Wayne county, against the State of Michigan for damages sustained by reason of the passage of act No. 186 of the public acts of 1885, entitled "An act to prevent deception in manufacture and sale of dairy products, and to preserve the public health,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

GERRIT J. DIEKEMA, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Diekema,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on printing:

The committee on printing, to whom was referred

Senate bill No. 453 (file No. 172), entitled

A bill to provide for the publication in newspapers of township proclamations, registration notices, election notices, notices of letting highway and bridge contracts, and all other similar notices, where the law now requires the posting of written or printed notices, and makes no provision for publishing such notices in newspapers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. T. COLE, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 1 (file No. 110) entitled

A bill making an appropriation for the erection and equipment of a suitable building for the use of the mining school at Houghton in the Upper Peninsula of Michigan, and for heating, lighting and furnishing the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

Senate bill No. 109 (file No. 111), entitled

A bill making an appropriation for the maintenance and support of the mining school at Houghton, Mich., for the year A. D. 1888,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means to whom was referred

enate bill No. 62 (file No. 161), entitled

A bill making an appropriation for continuing the frescoing and decorations of the walls, corridors and rooms of the State capitol,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the House without amendment and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on ways and means :

The committee on ways and means, to whom was referred

Senate bill No. 195 (file No. 149) entitled

A bill making appropriation for the purchase of material for a school house, for the purchase of machinery and for improvements and repairs at the State house of correction and reformatory at Ionia,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

M. E. RUMSEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Rumsey,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Kirby,	Mr. Rogers,
Allen,	Diekema,	Lakey,	Rounsville,
Ashton,	Dillon,	Lincoln,	Rumsey,
Baker, S.	Douglass,	Linton,	Snow,
Baker, W. A.,	Dunbar,	Makelim,	Spencer,
Baldwin,	Eldred,	Manly,	Stuart,
Bardwell,	Grenell,	McCormick,	Thompson,
Bates,	Harper,	McKie,	Tindall,
Baumgardner,	Haskin,	McMillan,	Van Orthwick,
Beecher,	Hill,	Mulvey,	Washburn,
Bentley,	Hoaglin,	Ogg,	Watson, F. H.,
Breen,	Holt,	Pardee,	Watson, H.,
Burr,	Hoobler,	Perkins,	Watts,
Cady,	Hosford,	Pettit,	Webber,
Cannon,	Houk,	Powers,	Wellman,
Case,	Hunt,	Preston,	Williams, T. H.,
Chamberlain,	Jones,	Reader,	Wilson,
Chapman,	Kelley,	Robinson, J. W.	Wood,
Crocker,	Killean,	Robinson, R.,	Speaker,
Damon,			

77

NAYS.

Mr. Anderson,

1

Title agreed to.

On motion of Mr. Rumsey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on labor interests :

The committee on labor interests, to whom was referred

House bill No. 762, entitled

A bill to regulate the employment of labor in prisons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

GEORGE OVIATT, *Chairman*,

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on labor interests:

The committee on labor interests, to whom was referred

House bill No. 505 (file No. 182), entitled

A bill to provide for the election of a mine inspector, for each county possessing mines, and to perscribe his duties; also, to prevent the employment of any person under 16 years of age in any mine, and to reduce the hours of labor in any mine to eight hours per day,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the election of a mine inspector for each county possessing mines and to perscribe his duties, also, to prevent the employment of any person under 16 years of age in any mine and to reduce the hours of labor in any mine to eight hours per day.

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

GEORGE OVIATT, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Oviatt,

The House concurred in the adoption of the substitute reported for the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage, to whom was referred

House bill No. 827, entitled

A bill to legalize certain drain taxes in the township of Ganges and county of Allegan, and to authorize the supervisor of said township to re-spread the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

R. ROBINSON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. McCormick,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Killean,	Mr. Robinson, R.,
Allen,	Dickson,	Kirby,	Rogers,
Anderson,	Diekema,	Lakey,	Rounsaville,
Ashton,	Dillon,	Lincoln,	Snow,
Baker, S.	Dunbar,	Linton,	Spencer,
Baker, W. A.,	Eldred,	Manly,	Thompson,
Bardwell,	Goodrich,	McCormick,	Tindall,
Bates,	Grenell,	McKie,	VanOrthwick,
Bettinger	Harper,	McMillan,	Vroman,
Bentley,	Haskin,	Ogg,	Washburn,
Breen,	Hill,	Oviatt,	Watson, F. H.,
Burr,	Hoaglin,	Pardee,	Watson, H.,
Cannon,	Hoobler,	Perkins,	Watts,
Case,	Hosford,	Pettit,	Wellman,
Chamberlain,	Houk,	Powers,	Wilson,
Chapell,	Jones,	Reader,	Wood,
Crocker,	Kelley,	Robinson, J. W.	Speaker,
Cross,			

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NAYS.

0

Title agreed to.

On motion of Mr. McCormick,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on military affairs:

The committee on military affairs, to whom was referred,

House bill No. 447, entitled

A bill to provide for the payment of bounty by the State to such soldiers, sailors, and marines as are entitled to the same, but failed to receive it by reason of there being no money to pay the same under act 23 of the special session of 1864, entitled "An act authorizing the payment of bounties to volunteers in the service of the United States,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

H. L. WOOD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee on ways and means.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

House bill No. 734, entitled

A bill to amend act No. 223 of the local acts of 1883 being an act entitled An act to incorporate the city of Saint Ignace,

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the House with the accompanying substitute therefor, entitled

A bill to amend sec. 2 of chapter 1 of act No. 223 of the local acts of 1883 entitled "An act to incorporate the City of St. Ignace, approved March 14th, 1883,"

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Chamberlain,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred House bill No. 301, entitled

A bill authorizing the common council of the city of Port Huron to make a re-assessment to defray the expense of a public improvement on Pine Grove Avenue, a street in said city, from Suffern street to the northern limits of said city, being the pavement of said street,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill authorizing the common council of the city of Port Huron to make a re-assessment to defray the expense of a public improvement on Pine Grove Avenue, a street in said city, from Suffern street to the northern limits of said city, being the pavement of said street and to legalize previous acts of the common council in reference thereto,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wellman,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Beecher moved to take from the table

House bill No. 344 (file No. 186), entitled

A bill to authorize the township of Flushing, in Genessee county, Michigan, to borrow money to be used in public improvements in and for the benefit of said township, and to issue bonds therefor,

Which motion prevailed.

On motion of Mr. Beecher,

The bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Manly moved to amend the bill by adding a new section thereto as follows:

SEC. 5. No part of the money hereby authorized by this act shall be used in the construction of any railroad or purchasing the right of way thereof.

Which was withdrawn.

Mr. Dickson demanded the previous question.

The demand was seconded.

The question being shall the main question now be put,

The same was ordered.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ashton,	Mr. Harper,	Mr. McCormick,	Mr. Rumsey,
Baker, S.,	Hosford,	McMillan,	Snow,
Bardwell,	Houk,	Mulvey,	Thompson,
Baumgardner,	Jones,	Oviatt,	VanOrthwick,
Bettinger,	Kelley,	Perkins,	Vickary,
Cannon,	Killeen,	Powers,	Watson, F. H.,
Chamberlain,	Lakey,	Reader,	Watson, H.,
Chapell,	Lincoln,	Robinson, J. W.	Webber,
Damon,	Linton,	Rogers,	Wellman,
Dickson,	Makelim,	Rounsaville,	Wilson,
Grenell,			

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NAYS.

Mr. Abbott,	Mr. Chapman,	Mr. Holt,	Mr. Pierce,
Allen,	Cross,	Hoobler,	Preston,
Baker, W. A.,	Diekema,	Kirby,	Robinson, R.,
Baldwin,	Eldred,	Manly,	Spencer,
Bates,	Goodrich,	McKie,	Stuart,
Beecher,	Haskin,	Ogg,	Washburn,
Burr,	Hill,	Pardee,	Watts,
Cady,	Hoaglin,	Pettit,	Wood,
Case,			

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Mr. Beecher moved to reconsider the vote by which the House refused to pass the bill,

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Beecher,

The bill was laid upon the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report, as correctly enrolled, signed, and presented to the Governor, the following:

House bill No. 70 (file No. 119), entitled

An act authorizing the board of trustees of the Northern Michigan asylum for the insane to purchase certain lands for the use and benefit of said asylum, and making an appropriation for the payment thereof.

Also,

House bill No. 446 (file No. 241) entitled

An act making an appropriation for the current expenses of the Michigan soldier's home, and other expenses necessary to the maintenance and improvement thereof, for the years eighteen hundred and eighty-seven and eighteen hundred and eighty-eight.

ROBERT Y. OGG, *Chairman.*

Report accepted.

Mr. Hosford, by unanimous consent, offered the following :

Resolved, That the Public Printer be instructed to insert dashes in the affidavits from Detroit ordered printed in the Journal in every case where a vulgar or obscene word occurs in the original,

Which,

On motion of Mr. Cannon,

Was laid on the table.

Mr. Beecher moved to take from the table,

House bill No. 344, (file No. 186) entitled

A bill to authorize the township of Flushing, in Genesee county, Michigan, to borrow money to be used in public improvements in and for the benefit of said township, and to issue bonds therefor,

Which motion prevailed.

The question being on the passage of the bill,

Mr. McKie moved to amend the bill by inserting before the word majority in line 1, section 2, the words "two-thirds,"

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Manly moved to amend the bill by striking out in lines 1 and 2, section 4, the words "in public improvements," and inserting the words "to aid in the construction of a railroad,"

Which was not agreed to.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Eldred,	Mr. Linton,	Mr. Rounselle,
Ashton,	Goodrich,	McCormick,	Rumsey,
Baker, S.,	Grenell,	McMillan,	Snow,
Baker W. A.,	Harper,	Mulvey,	Stuart,
Bardwell,	Haskin,	Ogg,	Thompson,
Baumgardner,	Hoaglin,	Oviatt,	Tindall,
Beecher,	Hosford,	Perkins,	Van Orthwick,
Bettinger,	Houk,	Pettit,	Vickary,
Breen,	Hunt,	Powers,	Watson, F. H.,
Chamberlain,	Jones,	Preston,	Watson, H.
Chapell,	Kelley,	Reader,	Webber,
Damon,	Killeen,	Rantz,	Wellman,
Dickson,	Lakey,	Robinson, J. W	Wilson,
Dillon.	Lincoln,	Rogers,	Wood,
Douglass,			

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NAYS

Mr. Abbott,	Mr. Cole,	Mr. McKie,	Mr. Simpson,
Bates,	Cross,	Pardee,	Spencer,
Burr,	Hoobler,	Pierce,	Vroman,
Cady,	Manly,	Robinson, R.,	Watts,
Case,			

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Title agreed to.

On motion of Mr. Beecher,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Bates,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

Mr. Washburn rose to a question of privilege as to an error in the journal of Tuesday, May 10th by which he was not recorded as voting on House bill No. 255 (file No. 375), although he voted aye thereon; and he desires to be so recorded at this time.

The Speaker directed that the correction be made by entering the same in this day's journal.

THIRD READING OF BILLS.

House bill No. 504 (file No. 371), entitled

A bill to revise, consolidate and amend the liquor laws of this State.

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Rumsey moved to amend the bill by striking out in line 11 sec. 7 the word "village" where it occurs after the word "township,"

Mr. Perkins moved as a substitute that the bill be amended by striking out in line 11 sec. 7 the words "township, village or city" and inserting in lieu thereof the word "county,"

On agreeing to which,

Mr. Bates demanded the yeas and nays on both the pending questions.

The demand was seconded, and the motion to amend the amendment did not then prevail by yeas and nays, as follows :

YEAS.

Mr. Baker, S.,	Mr. Grenell,	Mr. Ogg,	Mr. Thompson,
Bettinger,	Harper,	O'Keefe,	Tindall,
Breen,	Hoaglin,	Perkins,	Vroman,
Cady,	Hosford,	Powers,	Washburn,
Cannon,	Hunt,	Preston,	Watson, F. H.,
Chamberlain,	Lincoln,	Rentz,	Watts,
Chapell,	Linton,	Robinson, J. W.	Wellman,
Crocker,	Makelim,	Snow,	Williams, T. H.,
Douglass,	Manly,	Stuart,	Wilson,
Dunbar,	Mulvey,		

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NAYS.

Mr. Abbott,	Mr. Chapman,	Mr. Houk,	Mr. Robinson, R.
Allen,	Cole,	Jones,	Rogers,
Anderson,	Cross,	Kelley,	Rounsville,
Ashton,	Damon,	Killean,	Rumsey,

Mr. Baldwin,	Mr. Dickson,	Mr. Kirby,	Mr. Simpson,
Bardwell,	Diekema,	Lakey,	Spencer,
Bates,	Dillon,	McMillan,	VanOrthwick,
Baumgardner,	Eldred,	Oviatt,	Watson, H.,
Beecher,	Goodrich,	Pardee,	Webber,
Bentley,	Haskin,	Pettit,	Wood,
Burr,	Hill,	Pierce,	Speaker,
Case,	Hoobler,	Reader,	47

The motion to amend the bill by striking out the word "village," in line 11, section 7, did not then prevail, two-thirds of all the members present not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Baker, S.,	Mr. Grenell,	Mr. Makelim,	Mr. Spencer,
Baumgardner,	Harper,	McMillan,	Stuart,
Beecher,	Hoaglin,	Mulvey,	Thompson,
Bettinger,	Hoobler,	Ogg,	Tindall,
Breen,	Hosford,	O'Keefe,	Vickary,
Cady,	Hunt,	Perkins,	Washburn,
Chamberlain,	Kelley,	Powers,	Watson, F. H.
Chapell,	Kirby,	Rentz,	Watts,
Douglass,	Lincoln,	Rumsey,	Wellman,
Dunbar,	Linton,	Snow,	Williams, T. H.
			40

NAYS.

Mr. Abbott,	Mr. Chapman,	Mr. Haskin,	Mr. Reader,
Allen,	Cole,	Hill,	Robinson, J. W.
Anderson,	Crocker,	Houk,	Robinson, R.,
Ashton,	Cross,	Jones,	Rogers,
Baker, W. A.,	Damon,	Killeen,	Simpson,
Bates,	Dickson,	Lakey,	VanOrthwick,
Bentley,	Diekema,	Manly,	Watson, H.,
Burr,	Dillon,	Oviatt,	Webber,
Cannon,	Eldred,	Pardee,	Wood,
Case,	Goodrich,	Pettit,	Speaker,
			40

Mr. Thompson moved to amend the bill by adding at the end of section 8 the following proviso:

Provided further, That in the counties of the Upper Peninsula, the taxes collected under the provisions of this act shall be paid into and be a portion of the contingent funds of the several municipalities where such taxes are collected.

On agreeing to which,

Mr. Thompson demanded the yeas and nays.

The demand was seconded, and the motion to amend did not prevail by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Dunbar,	Mr. Makelim,	Mr. Snow,
Anderson,	Goodrich,	Manly,	Spencer,
Ashton,	Grenell,	McCormick,	Thompson,
Baker, S.,	Hill,	Mulvey,	Vickary,

Mr. Baker, W. A.,	Mr. Hoobler,	Mr. Ogg,	Mr. Watts,
Bardwell,	Hunt,	O'Keefe,	Wellman,
Burr,	Killean,	Perkins,	Williams, T. H.
Dickson,	Lincoln,	Rogers,	Speaker,
Douglass,	Linton,	Rumsey,	35

NAYS.

Mr. Allen,	Mr. Cole,	Mr. Kelley,	Mr. Robinson, R.,
Baldwin,	Cross,	Kirby,	Rounsville,
Bates,	Damon,	Lakey,	Simpson,
Baumgardner,	Diekema,	Oviatt,	Stuart,
Bettinger,	Dunbar,	Pardee,	Tindall,
Cady,	Harper,	Pettit,	Vroman,
Cannon,	Haskin,	Pierce,	Washburn,
Case,	Hosford,	Powers,	Watson, F. H.
Chamberlain,	Hoaglin,	Preston,	Watson, H.
Chapell,	Houk,	Reader,	Webber,
Chapman,	Jones,	Robinson, J. W.	Wood, 44

Mr. T. H. Williams moved to amend the bill by striking out in lines 10 and 13, section 1, the words "five," where they occur before the word "hundred," and inserting the word "three" in lieu thereof,"

On agreeing to which,

Mr. T. H. Williams demanded the yeas and nays.

The demand was seconded, and the motion to amend the bill did not prevail, two-thirds of all the members elect not voting therefor by yeas and nays, as follows:

YEAS.

Mr. Baker, S.,	Mr. Grenell,	Mr. McCormick,	Mr. Rounsville,
Beecher,	Harper,	McKie,	Rumsey,
Bettinger,	Hoaglin,	McMillan,	Snow,
Bentley,	Holt,	Mulvey,	Stuart,
Breen,	Hosford,	Ogg,	Thompson,
Cady,	Hunt,	O'Keefe,	Tindall,
Cannon,	Kelley,	Pardee,	Vickary,
Chapell,	Killean,	Perkins,	Vroman,
Crocker,	Lincoln,	Pierce,	Washburn,
Dillon,	Linton,	Powers,	Watts,
Douglass,	Makelim,	Rentz,	Wellman,
Dunbar,	Manly,	Robinson, R.,	Williams, T. H.
			48

NAYS.

Mr. Abbott,	Mr. Cole,	Mr. Hoobler,	Mr. Rogers,
Allen,	Cross,	Houk,	Simpson,
Anderson	Damon,	Jones,	Spencer,
Ashton,	Dickson,	Kirby,	Van Orthwick,
Baker, W. A.,	Diekema,	Lakey,	Watson, F. H.
Bates,	Eldred,	Oviatt,	Watson, H.,
Baumgardner,	Goodrich,	Pettit,	Webber,
Burr,	Haskin,	Reader,	Wood,
Case,	Hill,	Robinson, J. W.	Speaker,
Chapman,			37

On motion of Mr. T. H. Williams,
The bill was referred to the committee of the whole.

GENERAL ORDER.

On motion of Mr. Bates,
The House went into committee of the whole, on the general order,
Whereupon the Speaker called Mr. Hill to the chair.

After some time spent therein, the committee rose, and through their chairman made the following report :

The committee of the whole have had under consideration the following bill :

House bill No. 504 (file No. 371), entitled

A bill to revise, consolidate and amend the liquor law of this State,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

LOYAL W. HILL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Thompson,

The House concurred in the amendments made to the bill by the committee.

Mr. Bates demanded a division of the question.

The question being first taken on concurring in the amendment made by the committee in adding at the end of section 8 the following:

Provided further, That in the counties of the Upper Peninsula the taxes collected under the provisions of this act shall be paid into and be a portion of the contingent funds of the several municipalities where such taxes are collected."

Mr. Bates demanded the yeas and nays.

The demand was seconded, and the action of the committee was not concurred in by yeas and nays, as follows :

YEAS.

Mr. Baker, W. A.	Goodrich,	Mr. Mulvey,	Mr. Stuart,
Baumgardner,	Grenell,	Ogg,	Thompson,
Bettinger,	Killeen,	O'Keefe,	Vickary,
Breen,	Lincoln,	Perkins,	Vroman,
Cole,	Makelim,	Powers,	Wellman,
Dillon,	Manly,	Rentz,	Williams, T.H.
Douglass,	McCormick,	Rogers,	27

NAYS.

Mr. Abbott,	Mr. Case,	Mr. Kelley,	Mr. Rumsey,
Allen,	Chapman,	Kirby,	Simpson,
Anderson,	Cross,	Lakey,	Spencer,
Ashton,	Damon,	McKie,	Tindall,
Baker, S.,	Diekema,	McMillan,	Van Orthwick,
Baldwin,	Eldred,	Oviatt,	Washburn,
Bates,	Harper,	Pardee,	Watson, F. H.
Beecher,	Haskin,	Pettit,	Watson, H.,
Bentley,	Hoaglin,	Pierce,	Webber,
Burr,	Hoobler,	Reader,	Wilson,
Cady,	Hosford,	Robinson, J. W.	Wood,
Cannon,	Houk,	Robinson, R.,	47

The question being then on concurring in the action of the committee in adding a new section to the bill, as follows :

Sec. 30. Act No. 92 of the public acts of 1877, Act No. 156, public acts of 1881, Act No. 259, public acts of 1881, and all acts and parts of acts in conflict herewith are hereby repealed,

The same was concurred in.

The question then being on ordering the bill to the third reading,

Mr. T. H. Williams demanded the yeas and nays.

The demand was seconded and the bill was ordered to a third reading, by yeas and nays as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Houk,	Mr. Robinson, J. W.
Allen,	Cross,	Hunt,	Rogers,
Anderson,	Damon,	Jones,	Rumsey,
Ashton,	Dickson,	Kelley,	Simpson,
Baker, W. A.	Diekema,	Kirby,	Spencer,
Bates,	Eldred,	Lakey,	Tindall,
Baumgardner,	Goodrich,	McCormick,	Watson, F. H.,
Beecher,	Grenell,	McMillan,	Watson, H.,
Bentley,	Harper,	Oviatt,	Webber,
Burr,	Haskin,	Pardee,	Wilson,
Cannon,	Hill,	Perkins,	Wood,
Case,	Hoaglin,	Pettit,	Speaker,
Chapell,	Hoobler,	Reader,	
Chapman,			

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NAYS

Mr. Baker, S.,	Mr. Hosford,	Mr. Pierce,	Mr. Vickary,
Bettinger,	Killeen,	Powers,	Vroman,
Crocker,	Manly,	Rentz,	Washburn,
Dillon,	Mulvey,	Snow,	Wellman,
Douglass,	Ogg,	Stuart,	Williams, T. H.
Dunbar,	O'Keefe,	Thompson,	

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On motion of Mr. Bates,

The rules were suspended, two-thirds of all the members present voting therefor, and the bill was put upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. J. W. Robinson moved that there be a call of the House,

Which motion prevailed.

PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave: Messrs. Chamberlain and Preston.

On motion of Mr. Bates,

The vote on the bill was ordered to be proceeded with with, the bar of the House closed.

Mr. Snow moved to amend the bill by striking out wherever it occurs in the bill the words "Indian or person of Indian descent."

Which motion did not prevail, two-thirds of all the members present not voting therefor by yeas and nays, as follows:

YEAS.

Mr. Baker, S.,	Mr. Dunbar,	Mr. Ogg,	Mr. Tindall,
Baumgardner,	Harper,	Perkins,	Vroman,
Bettinger,	Hosford,	Powers,	Washburn,
Breen,	Houk,	Rentz,	Watts,
Cannon,	Manly,	Snow,	Wellman,
Crocker,	McKie,	Stuart,	Williams, T. H.
Douglass,	Mulvey,	Thompson,	27

NAYS.

Mr. Abbott,	Mr. Cole,	Mr. Jones,	Mr. Reader,
Allen,	Cross,	Kelley,	Rogers,
Anderson,	Damon,	Killean,	Rumsey,
Ashton,	Dickson,	Kirby,	Spencer,
Baker, W. A.	Diekema,	Lakey,	Van Orthwick,
Bates,	Eldred,	Makelim,	Vickary,
Beecher,	Goodrich,	McCormick,	Watson, F. H.
Burr,	Haskin,	McMillan,	Watson, H.,
Cady,	Hill,	Oviatt,	Webber,
Case,	Hoaglin,	Pardee,	Wood,
Chapman,	Hoobler,	Pettit,	43

The question being on the passage of the bill,

Mr. Tindall moved to amend the bill by striking out in line 6 section 15 the word "nine" and inserting the word "ten" in lieu thereof,

Which motion did not prevail, two-thirds of all the members present not voting therefor.

Mr. F. H. Watson moved to amend the bill by striking out in line 5 section 15, the word "seven" and inserting the word "six" in lieu thereof,

Which motion did not prevail, two-thirds of all the members present not voting therefor.

Mr. Wood demanded the previous question.

The demand was seconded.

The question being shall the main question be now put,

The same was ordered.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Chapman,	Mr. Hunt,	Mr. Rogers,
Allen,	Cole,	Jones,	Rumsey,
Anderson,	Cross,	Kelley,	Simpson,
Ashton,	Damon,	Kirby,	Spencer,
Baker, W. A.,	Dickson,	Lakey,	Tindall,
Bardwell,	Diekema,	McCormick,	Van Orthwick,
Bates,	Eldred,	McMillan,	Watson F. H.
Baumgardner,	Goodrich,	Oviatt,	Watson, H.,
Beecher,	Haskin,	Pardee,	Webber,
Bentley,	Hill,	Pettit,	Williams, W. W.
Burr,	Hoaglin,	Reader,	Wilson,
Cannon,	Hoobler,	Robinson, J. W.	Wood,
Case,	Houk,	Robinson, R.,	Speaker,
Chapell,			53

NAYS.

Mr. Baker, S.,	Mr. Grenell,	Mr. McKie.	Mr. Stuart,
Baldwin,	Harper,	Mulvey,	Thompson,
Bettinger,	Holt,	Ogg,	Vickary,
Breen,	Hosford,	O'Keefe,	Vroman,
Cady,	Killean,	Perkins,	Washburn,
Crocker,	Lincoln	Pierce,	Watts,
Dillon,	Linton,	Powers,	Wellman,
Douglass,	Makelim,	Rentz,	Williams, T. H.
Dunbar,	Manly,	Snow,	35

Title agreed to.

On motion of Bates

All further proceeding under the call were dispensed with.

Mr. Rumsey rose to a question of privilege, in that certain reflections were cast on a standing committee of the House in the Free Press of this morning, wherein reference was made to a letter written by A. B. Haynes, clerk of one of the standing committees of the House, reflecting upon the action of the investigating committee on life insurance corporations, and demanded that the letter which was said to be in the possession of Representative Watts, be read from the Clerk's desk and spread on the journal.

Mr. Watts said that the letter was one of several relative to the same subject, which he also desired to be read and printed in the journal.

The following are the letters and communications referred :

Jackson, Mich., May 11, 1887.

Hon. T. H. Williams, or John W. Watts, House of Representatives, Lansing, Mich. :

GENTLEMEN:—I enclose herewith a memorial from the trustees of the "Old People's Life Insurance Company of Jackson," and request that you kindly present the same and demand that it be read and printed in the Legislative Journal. This company has never opposed legislation, but on the contrary has appeared (by its attorney) before the House insurance committee and recommended stringent legislation. Any legislation tending to regulate the business of life insurance and give all kinds of companies an equal chance to compete for business will be gladly complied with, but to prohibit persons over 65 years from insuring in assessment companies we believe to be unjust and clearly in the interest of large corporations who seem to be deeply interested in the attempt to thus cripple their competitors.

We enclose a sample of our policy contract, and respectfully request that you examine section 15 of the proposed law as printed in Legislative Journal of April 23d, and if in your opinion the specific amounts promised in our policy would not conform to the provisions in said section 15, we would hope to see the section properly amended.

Yours truly,

W. L. SEATON.

And it has been estimated that no less than 20,000 persons in Michigan are investing money in these associations, and if this Legislature is the cause of these people losing their money, there will probably be a day of reckoning when the members who support the "Cross" bill ask the people for a re-election.

The companies promise shortly to give the public many other startling facts relative to the unfairness of the committee's report.

Among the statements and affidavits alluded to above, we give the following.

We hereby certify that the face value of the losses sustained by the Old People's Life Insurance Company of Jackson Michigan, during 1886, was one hundred and sixty dollars and sixty cents (\$160.60.) That continuously from the time the first assessment was collected, there has been money in the treasury of the company; and that more and larger losses could have been paid if they had occurred. That the report of the insurance department shows all losses to have been paid in full.

GIBSON & SLATER, *Managers.*

Dated at Jackson, Mich., May 3d. 1887.

STATE OF MICHIGAN, }
COUNTY OF CALHOUN, } ss.

C. P. Aldrich, Treasurer of the Standard Life Association, of Marshall, Michigan, being duly sworn, deposes and says: *The actual face value of policies which became claims on the Standard Life Association during the year 1886 aggregated five thousand six hundred and thirty-four dollars and twenty cents (\$5,634.20), and the statement "that the face value of the losses of this Association for the year 1886 was \$33,000.00" is UNTRUE.*

(Signed)

C. P. ALDRICH.

Subscribed and sworn to before me this 25th day of April, A. D. 1887.

WM. D. ADAMS,

Notary Public in and for Calhoun County, Mich.

GIGANTIC MISTAKE

OF THE "GRAVEYARD INVESTIGATING COMMITTEE."

Face Value of Losses in Eight Companies Investigated placed by the Committee at \$331,000.

Affidavits and Statement from Officers show the Face Value to have been but \$137,337.13.

A MISTAKE BY THE COMMITTEE OF \$193,662.87.

That the Cross investigation of the so-called "graveyard" insurance companies has been in the interest of the old companies and Indiana competition has been alluded to in the News' columns before this. The so-called graveyard companies claim they have been very unfairly reported by the committee in many ways, the most glaring of which is the report made as to the face value of the losses that occurred during 1886. Below we give a carefully tabulated statement of the losses of eight of the companies investigated, which shows a wide discrepancy between the committee's report and the actual facts. This statement is supported by affidavits and statements from officers of all the companies given.

Table showing errors of Legislative Investigating Committee, as to face value of losses and amounts paid thereon.

Name of company.	Location.	Face value of losses as reported by Committee.	Face value of losses as reported by officers.	Amount paid on losses during 1898.	Amount paid on each \$1,000 (face value) as reported by Committee.	Amount paid on each \$1,000 (face value) as reported by officers.
Industrial M. B. Association.....	Corunna, Mich.....	\$1,000 00	\$14 35	\$14 35	14 35	\$1,000 00
Loyal Life Insurance Co.....	Reading, Mich.....	41,000 00	8,200 00	7,087 00	173 86	886 95
Old Peoples' Life Insurance Co.....	Jackson, Mich.....	7,000 00	160 00	160 00	22 94	1,000 00
Old Peoples' M. B. Association.....	Benton Harbor Mich.....	24,000 00	7,790 45	5,517 93	229 21	707 91
Peninsular State M. B. Association.....	Ithaca, Mich.....	150,000 00	89,000 00	27,572 00	185 68	309 58
Peoples' Co-operative and W. B. Association.....	Battle Creek, Mich.....	53,000 00	19,270 00	19,270 00	358 37	1,000 00
Standard Life Association.....	Marshall, Mich.....	33,000 00	5,624 20	5,044 00	152 87	488 27
Mutual Life.....	Mason, Mich.....	17,000 00	7,287 50	2,168 00	127 74	438 54
Totals.....		381,000 00	127,287 13	67,791 93	81,297 73 Average.....166 21	84,208 25 Average.....776 03

* Losses paid in full. The difference of \$500.20 was losses reported and not due.

RECAPITULATION.

Face value of losses as reported by committee.....	\$331,000 00
" " " " officers.....	137,937 13
Committee's error as to face value of losses.....	\$193,662 87
Average amount paid on each \$1,000.00 loss (face value), as reported by committee.....	\$162 21
" " " " " " officers.....	776 03
Amount of committee's error as to average amount paid on each \$1,000.00 loss (face value).....	\$613 82

We hereby certify that the face value of the losses sustained by the Old Peoples' Life Insurance Company of Jackson, Michigan, during 1886 was one hundred and sixty dollars and sixty cents (\$160.60). That continuously from the time the first assessment was collected there has been money in the treasury of the company, and that more and larger losses could have been paid if they had occurred. That the report of the insurance department shows all losses to have been paid in full.

GIBSON & SLATER, *Managers.*

Dated at Jackson, Mich., May 3, 1887.

STATE OF MICHIGAN, }
COUNTY OF CALHOUN, } ss.

C. P. Aldrich, agent of the Standard Life Association of Marshall, Michigan, being duly sworn, deposes and says: The *actual face value* of policies which became claims on The Standard Life Association during the year 1886 aggregated five thousand six hundred and thirty-four dollars and twenty cents (\$5,634.20), and the statement "that the face value of the losses of this Association for the year 1886 was \$33,000," is UNTRUE.

(Signed), C. P. ALDRICH, [L. S.]

Subscribed and sworn to before me this 24th day of April, A. D. 1887.

WM. D. ADAMS,

Notary Public in and for Calhoun County, Michigan.

Lansing, April 27, 1887.

Gibson & Slater :

Yours of 25 at hand this A. M. The committee did not visit our company at all or see our books. As shown by the last annual report, the face value of losses was \$7,267.50. This was for year ending Dec. 31st. I know nothing of the affairs of company during that year when Dunning was secretary, being elected the forepart of January last.

Very truly,

A. B. HAYNES.

Ithaca, Mich., April 26th. 1887.

Gibson & Slater, Jackson:

GENTLEMEN: The face of your certificates that became claims last year were \$150,000. If we had had a full membership they would have been worth \$89,000; they couldn't have been worth more than that under any circumstances. We paid \$27,572 which we claim is the full value of the certificates under the contract.

We do not see how you can make any use of this as they can make capital of it either way if they choose.

Mr. Barnes is in Lansing now; if you wish anything further consult him.

Yours truly,

W. A. RUSSELL.

CORUNNA, MICHIGAN, }
April 26, 1887. }

Gibson and Slater, Jackson, Mich. :

The loss paid during the year 1886 was what we term a sixty day loss, the deceased member having been insured less than 60 days at time of death. The certificate was issued for \$1,000. The amount paid was what it cost to be insured with 15 per cent added—\$14.35.

The legislative committee called me to the office about 8 o'clock P. M. and

investigated until nearly 11 o'clock. They resumed the next morning between 7 and 8 o'clock and continued until train time, between 10 and 11 o'clock. I was the only witness examined. They made a star chamber matter of it, excluding the other officers and examining me privately. They stated that they would examine our medical director, but although he was present they did not examine him. His testimony would have been very favorable to the association, as he would have testified that he had received applications for approval that he suspected were sent in without knowledge or authority of persons insured. He wrote them about it and received letters saying they were all right. The doctor stated these facts to Mr. Cross. The inference is that Mr. C., knowing the facts would not serve his purpose, designedly suppressed them. He desired only inculcating evidence. He refused to allow me to read my correspondence with agents and instructions to them in regard to the taking of applications. It would not do. Evidence of honesty and good faith would not answer the purpose. It is very evident to those who observed the methods of the committee in the investigation and who have read their report, that they were prejudiced and inspired with a desire to find something wrong, whether it existed in reality or not.

Yours truly,

JAS. M. GOODELL, *Secretary.*

OFFICE OF THE OLD PEOPLE'S MUTUAL BENEFIT SOCIETY, }
Benton Harbor, Mich., April 27, 1887. }

Statement of Losses Paid, full amount of Certificate, Amount Due and Amounts Paid on the same up to and including Dec. 31, 1886.

No.	Face of Certificate.	Beneficiary.	Postoffice.	Amount Due.	Amount Paid.
220	\$2,000	Wm. Graham.....	Saginaw City.....	\$1,000 00	\$520 00
1547	1,000	E. M. Morrill.....	Union City.....	500 00	265 00
302	2,000	G. E. Wilson.....	Battle Creek.....	1,000 00	610 00
1812	2,000	E. E. Perry.....	Battle Creek.....	1,000 00	610 00
2120	2,000	B. M. Smith.....	Allegan.....	1,000 00	610 00
1699	1,000	Wm. Smith.....	Benton Harbor.....	500 00	305 00
2006	1,000	H. Lafferty.....	Breedsville.....	250 00	122 50
2587	1,000	L. E. Gooderhan.....	Yuw.....	500 00	305 00
4886	2,000	E. M. Loomis.....	Marshall.....	25 98	25 98
4576	4,000	J. O. Blake.....	Tekonaha.....	1,000 00	1,000 00
4736	4,000	E. Campbell.....	Grand Ledge.....	1,000 00	1,000 00
5240	2,000	Ward Leaser.....	Onondaga.....	16 50	16 50
	\$24,000			\$7,790 48	\$5,517 98

The first nine certificates were paid while pooling with the Elkhart, Indiana, Co.. which accounts for the small per cent. paid. This Society has rejected 60 applications from March to December, 1886.

FRED JORDAN, *Sec'y.*

Subscribed and sworn to before me this 27th day of April, A. D. 1887.

G. M. VALENTINE,

Notary Public, Berrien Co., Mich.

STATE OF MICHIGAN, }
COUNTY OF HILLSDALE. } ss.

Eugene R. Brakey acting for G. S. Bartholomew, secretary of the Loyal Life Association, of Reading, Mich., being duly sworn deposes and says that the statement made by him in his report to the commissioner of insurance of the number and amount of certificates in the list of losses paid in 1886 being \$41,000, does not represent the true face value of said certificates or amount at risk, and that according to the terms of the policies and articles of association and by-laws of said association, the face value of said certificates was one fifth (1-5) of the amount named as they became claims the first year after issue and should have been reported by the investigating committee as \$8,200 instead of \$41,000.

EUGENE R. BRAKEY.

STATE OF MICHIGAN, }
COUNTY OF HILLSDALE. } ss.

Eugene R. Brakey being duly sworn deposeth and says that the facts as above stated are true.

C. W. WALDON.

Notary Public, Hillsdale County, Mich.

In connection with the foregoing,

Mr. Cross presented the following, which, at his request, was ordered printed in the Journal:

STATE OF MICHIGAN, }
INSURANCE BUREAU, }
Lansing, May 12, 1887. }

I, Henry S. Raymond, Commissioner of Insurance of the State of Michigan, do hereby certify that I have carefully examined table "D," published on page 21 of the report of the Insurance Investigating committee, and compared the same with the records on file in my office, and that the same is a correct transcript from such records; that the face of the certificates reported as losses in the annual statements of the following companies on file in my office are as follows, viz:

	Face of Certificate.	Amount Paid.
Industrial M. B. Association, Corunna.....	\$1,000 00	\$14 85
Loyal Life Association, Reading.....	41,000 00	7,027 88
Mutual Life, Mason.....	17,000 00	3,186 06
Old People's Life Insurance Co., Jackson.....	7,000 00	160 60
Old Peoples' M. B. Society, B. Harbor.....	24,000 00	5,517 98
Penin. State M. B. Association, Ithaca.....	150,000 00	27,558 15
People's Cooperative and M. B. Association, Battle Creek.....	58,000 00	19,277 50
Standard Life Association, Marshall.....	38,000 00	5,044 95
Total.....	\$381,000 00	\$67,781 97

In testimony whereof I have hereunto set my hand and affixed
[L. S.] my official seal at Lansing the day and year first above written.

HENRY S. RAYMOND,
Commissioner of Insurance.

On motion of Mr. Bettinger,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Houck,

Leave of absence was granted to himself until Monday next.

On motion of Mr. Cross,

House bill No. 739 (file No. 223), entitled

A bill to revise the laws providing for the incorporation of coöperative and mutual benefit associations, and to define the powers and duties and regulate the transaction of the business of all such corporations and associations doing business within this State,

Which had been heretofore made the special order at 2:15 o'clock this P. M. was continued to the special order for 10:15 A. M. to-morrow, May 13th.

On motion of Mr. Chapman,

The House adjourned.

Lansing, Friday, May 13, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Thompson.

Roll called: quorum present.

Absent without leave: Messrs. Ashton, Baldwin, Harper and Lakey.

On motion of Mr. Oviatt,

Leave of absence was granted to Mr. Ashton until Tuesday next.

On motion of Mr. Washburn,

Leave of absence was granted to himself until Tuesday next.

On motion of Mr. Wood,

Leave of absence was granted to himself indefinitely.

On motion of Mr. McKie,

Leave of absence was granted to himself indefinitely.

On motion of Mr. Manly,

Leave of absence was granted to Mr. Harper until Tuesday next.

PRESENTATION OF PETITIONS.

No. 1229. By Mr. H. Watson: Memorial of the Chicago Lumber Co., of Manistique, Mich.

On motion of Mr. H. Watson,

The memorial was read at length, and spread at large on the journal, as follows:

To the Senate and House of Representatives of the State of Michigan, in Legislature assembled:

Your petitioner, the Chicago Lumber company, of Manistique, Mich., a corporation organized and existing under the laws of this State, respectfully shows,

First, That your petitioner and its grantors have been operating saw mills by the use of water power at and near the mouth of the Manistique river in

Schoolcraft county since on or about the year 1850, during all of which time the sawdust made in such mills has been allowed to fall into the river.

Second, That in 1876 your petitioner erected a saw mill at a cost of \$50,000, in 1880 another mill costing \$45,000, and in 1884 still another mill costing \$65,000, all within a short distance of each other, near the mouth of said river. Said mills are connected with each other, and with the yards where the lumber made is piled, by tramways aggregating seven miles in length.

Third, That all of said mills are so built that it is impossible without remodeling them to prevent the sawdust from falling into the river, for the following reasons: All the sawing is done with upright gang saws. The saw gates are connected directly by a pittman with a crank which works at the end of a horizontal shaft on which are water wheels and which is wholly under water. The sawdust when it leaves the saws follows the pittman down into the water. There is no chance to get under the pittman because the lower end of it is in the water, nor can the sawdust be conveyed away in any way as the mill is built, as the floor of the mill is not high enough above the level of the water to permit conveyors to be put in and worked. In order to prevent the sawdust from falling into the river it would be necessary to rebuild the mill in such a way that the working floor could be raised about five feet, and also to raise the seven miles of elevated tramway to conform to the changes in the elevation of the mills.

Fourth, Your petitioners estimate that the cost of making the changes in their mills and tramways required to take care of the sawdust made in such mills so that the same should not fall into the river would be from \$30,000 to \$50,000. That it would take at least one year to make such changes, during all of which time the mills would of necessity be idle. That your petitioner employs in such mills and in the other branches of its business connected therewith seven hundred men, all of whom would be thrown out of employment if such mills were to be shut down.

Fifth, That there is now pending before the Legislature a bill known as House file No. 82, which if it becomes a law will make it a misdemeanor, punishable by fine and imprisonment, for your petitioner to operate its said mills or either of them, and which will therefore amount to a confiscation if not of the mills themselves at least of the cost of making the changes required to make your petitioners to conform to the law—estimated as above at from \$30,000 to \$50,000, and will also throw a prosperous community of industrious people out of employment and entail untold hardship and distress.

Sixth, That the proposed bill is in the supposed interest of the fisheries, but your petitioner unhesitatingly declares that some of the best fishing grounds on the great lakes are near to Manistique and that no injury to such fishing has ever been apparent.

Seventh, That since your petitioner began operations at Manistique it has at its own cost and expense dredged out the river and removed the sand bars from the mouth of the harbor, so that whereas naturally there was only four feet of water and none but the smallest boats could enter, now there is an average of sixteen feet of water and the largest steamers on the lakes enter and depart from their wharves.

Eighth, Your petitioner therefore pray that the said bill so far as it prevents the operating of saw mills already erected by water power may not pass, and your petitioner will ever pray, etc.

In witness whereof this petitioner has caused these presents to be executed under its seal and subscribed by its secretary this 9th day of March, 1887.

THE CHICAGO LUMBERING CO., OF MICHIGAN,
J. D. MERSENAN, *Sec'y.*

Referred to the committee on fisheries.

The hour having arrived for the

SPECIAL ORDER,

On motion of Mr. Manly,

The House went into committee of the whole on the general order.

Whereupon the Speaker called Mr. Vroman to the chair.

After some time was spent therein, the committee arose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bills:

House bill No. 174 (file No. 365), entitled

A bill to amend section 9 of article II of act number 198 of the session laws of 1873, being an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owing or operating any railroad in this State, as amended by act number 177, session laws of 1887, and act number 116, public acts of 1883,

Have adopted a substitute therefor and have directed their chairman to report the same back to the House, asking concurrence therein; and further recommend that the bill be ordered printed, and made the special order for Thursday next, May 19, at 10:15 A. M.

JOHN J. VROMAN, *Chairman.*

Report accepted and committee discharged.

The question being on concurring in the report of the committee,

Mr. Manly demanded the yeas and nays.

The demand was seconded, and the report was concurred in by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dillon,	Mr. Linton,	Mr. Thompson,
Anderson,	Douglass,	Makelim,	Tindall,
Baker, W. A.,	Eldred,	Mulvey,	Vickary,
Beecher,	Grenell,	O'Keefe,	Vroman,
Cannon,	Haskin,	Pardee,	Watson, F. H.,
Case,	Hill,	Perkins,	Watson, H.,
Chapman,	Hoaglin,	Pettit,	Watts,
Crocker,	Holt,	Rumsey,	Wellman,
Cross,	Kelley,	Simpson,	Speaker
Damon,	Killeen,	Spencer,	<i>pro tem.</i> ,
Diekema,	Kirby,		

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NAYS.

Mr. Baker, S.,	Mr. Dickson,	Mr. McCormick,	Mr. Rentz,
Baldwin,	Dunbar,	McGregor,	Robinson, J. W
Bentley,	Goodrich,	McKie,	Robinson, R.,
Breen,	Hoobler,	Ogg,	Snow,

Mr. Burr,
Cady,
Chapell,
Cole,

Mr. Hosford,
Jones,
Lakey,
Manly,

Mr. Oviatt,
Pierce,
Powers,
Reader,

Mr. Stuart,
VanOrthwick,
Williams, W.W.
Wilson, 32

On motion of Mr. Crocker,
Senate bill No. 220 (file No. 151), entitled

A bill to amend section 5 of act 31 of the public acts of 1858, being compiler's section 5394 of Howell's annotated statutes, relative to the sale and reclamation of swamp lands and securing the pre-emption of settlers, as amended by act No. 181 of the public acts of 1885, approved June 10, 1885,

Was made the special order for Friday, May 20, at 10:15 A. M., t o-thirds of the members present voting therefor.

Mr. Vroman moved to take from the table

House bill No. 897, entitled

A bill to amend sections 11, 13 and 16 of chapter 141 of the revised statutes of 1846, entitled "Punishment of fraudulent debtors and the relief of insolvent debtors," as amended by the several acts amendatory thereof, and to add a new section to said chapter, to stand as section 21, the same being sections 8760, 8762 and 8765, of Howell's annotated statutes,

Which motion prevailed.

On motion of Mr. Vroman,

The bill was referred to the committee on judiciary.

On motion of Mr. H. Watson,

The House took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

Mr. Hosford arose to a question of privilege, requesting that the protest of some of the members of the House be read and spread in the journal.

The Speaker announced that the protest would be received and read.

The protest was then read by the Clerk as follows:

To the Hon. Daniel P. Markey, Speaker, and the House of Representatives:

We the undersigned, members of the House of Representatives, hereby formally protest against the vote by which House bill No. 504 (file No. 371) was declared to have passed the House when it was up for final passage on the 12th inst., for the following reasons:

First That the vote of Representative Bardwell was recorded for the bill when he was not present in the House.

Second, That article 4, section 19 of the constitution, requires that "on the final passage of all bills the vote shall be *by yeas and nays*."

Third, That House Rule 7 recites that "He (the Speaker) shall distinctly put all questions in this form, to-wit, 'As many as are in favor of [——] say aye,' and after the affirmative *voice* is expressed," etc.

Fourth, That House Rule 13 requires that "every member who shall be

within the bar * * * shall vote * * * and no member shall be obliged to vote on any question *unless he be within the bar.*"

Fifth, That House Rule 23 requires that "the vote of no member shall be recorded by the Clerk *unless said member shall be in his seat when he gives his vote.*"

Sixth, That when the attention of the Speaker was called—pending the completion of the roll-call—to the error in connection with the recording of Mr. Bardwell's vote, he persisted in declaring the vote recorded and permitted no hearing upon the fact of Representative Bardwell's presence or absence.

Seventh, That under this practice the votes of other absent members may have been recorded for the bill, giving it less than a constitutional majority.

Eighth, That the House was at the time operating under call of the House, and whatever might have been the practice in this respect under other circumstances it could not apply at such a time.

Ninth, That this practice, if permitted, would render many of the acts of the Legislature invalid.

And we further protest against the recording of the name of W. W. Williams as voting for the bill, for substantially the same reasons.

Seward Baker,	F. H. Hosford,
A. R. Chapell,	Martin Crocker,
F. F. Hoaglin,	Robert Y. Ogg,
C. H. Manly,	A. E. Dunbar,
A. D. Eldred,	J. W. Watts,
W. B. Washburn,	A. B. Pardee,
A. J. Webber,	J. W. Bentley,
B. A. Snow.	

After the reading of which,

The Speaker announced that the protest would be spread at large on the journal.

On motion of Mr. Kirby,

The House took up the order of

UNFINISHED BUSINESS.

Being the consideration of

Senate amendment to

House bill No. 508, entitled

A bill to revise and amend the charter of the village of Vicksburg in the county of Kalamazoo,

Which had been reported as follows:

1. By re-numbering section 2, so as to stand amended as section 1;
2. By prefixing to amended section 1 the words "*The People of the State of Michigan enact, That*"
3. By re-numbering the rest of the amended sections in order after amended section one.

And further to inform the House that the Senate has amended the title to the bill so as to read as follows:

A bill to revise and amend act No. 305 of the local acts of 1883, entitled "*An act to re-incorporate the village of Vicksburg,*" approved May 18, 1883.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Kirby,
The House concurred, a majority of all the members elect voting therefor,
by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Cole,	Mr. Kirby,	Mr. Robinson, J. W.
Anderson,	Crocker,	Lakey,	Robinson, R.,
Baker, S.,	Cross,	Linton,	Rogers,
Baker, W. A.,	Damon,	McCormick,	Snow,
Baldwin,	Dickson,	McGregor,	Spencer,
Bates,	Diekema,	Mulvey,	Stuart,
Baumgardner	Dillon,	Ogg,	Tindall,
Beecher,	Goodrich,	O'Keefe,	Van Orthwick,
Breen,	Grenell,	Oviatt,	Vickary,
Burr,	Hill,	Pardee,	Watts,
Cady,	Hoaglin,	Perkins,	Webber,
Cannon,	Holt,	Pierce,	Wellman,
Case,	Hoobler,	Powers,	Williams, W. W.
Chapell,	Hosford,	Preston,	Wilson,
Chapman,	Jones,	Reader,	Speaker, 60

NAYS.

Mr. Wood, 1

The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The hour having arrived for the

SPECIAL ORDER,

On motion of Mr. Chapman,

The House went into committee of the whole, on the special order,

Whereupon the Speaker called Mr. Lakey to the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following bill:

House bill No. 739 (file No. 223), entitled

A bill to revise the laws providing for the incorporation of co-operative and mutual benefit associations, and to define the powers and duties, and regulate the transactions of the business of all such corporations and associations doing business within this State,

But not having gone through therewith, have directed their chairman to report that fact to the House and ask leave to sit again.

ALBERT L. LAKEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cross,

Leave was granted to the committee to sit again for the consideration of the bill.

On motion of Mr. Bates,

The House took up the order of

MESSAGES FROM THE SENATE.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 18, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 528 and 529 (file No. 374), entitled

A bill making appropriations for the current expenses and for buildings, etc., for the reform school for the years 1887 and 1888.

And to inform the House that the Senate has amended the same as follows:

1. By inserting in line 3 of section 5 after the word "years" the words "to be assessed, levied and collected as other state taxes are assessed, levied and collected," and inserting at the end of line 4, same section, the words "to reimburse the same for the sums appropriated by this act."

In the passage of which as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Bates moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendment made by the Senate to the bill,

On motion of Mr. Bates,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Damon,	Mr. Linton,	Mr. Robinson, R.,
Baker, S.,	Dickson,	Makelim,	Rumsey,
Baker, W. A.	Diekema,	McGregor,	Simpson,
Baldwin,	Dillon,	McMillan,	Snow,
Bates,	Douglass,	Mulvey,	Stuart.
Bentley,	Dunbar,	Ogg,	Thompson,
Breen,	Goodrich,	O'Keefe	Tindall,
Burr,	Gronell,	Oviatt,	VanOrtheast,
Cady,	Haskin,	Pardee,	Vickary,
Cannon,	Hill,	Perkins,	Watson, F. H.
Case,	Hoaglin,	Pierce,	Watts,
Chapell,	Hobbs,	Powers,	Webber,
Chapman,	Jones,	Preston,	Wellman,
Cole,	Kelley,	Reader,	Wilson,
Crocker,	Kirby,	Rentz,	Speaker,
Cross,	Lakey,	Robinson, J. W	

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NAYS.

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

Mr. Crocker, by unanimous consent, offered the following:

WHEREAS, Upon the final passage of House bill No. 504 on May 12, 1887, Messrs. Bardwell and W. W. Williams were recorded in the journal as voting yea, when as a matter of fact neither of said representatives were present and voting in the House at the time said vote was taken and said bill was passed, Representative Bardwell having gone home before the call of the House was made and proceedings under said call had been taken; but before leaving said Bardwell had requested the clerk of the House to record his vote in favor of the passage of said bill. And whereas, further, said Representative W. W. Williams was excused on Wednesday, May 11, until Monday next and was as a matter of fact not present at all during the session of the House on Thursday, May 12. But as a matter of fact came in after the House had adjourned and requested his name to be recorded as voting in favor of the passage of said bill. Both of which proceedings are contrary to the constitution of this State and are not in accordance with the rules of this House; therefore be it

Resolved, That the journal of Thursday, May 12, 1887, be corrected so that the names of Representatives Bardwell and W. W. Williams shall not be recorded as voting in favor of the passage of House file No. 371, the same being House bill No. 504.

In this connection the Speaker said: I have no objection to the adoption of this resolution. In recording the vote of Mr. Bardwell yesterday on the passage of that bill, a practice as old as the State was followed. Had Mr. Bardwell's or Mr. Williams' vote been necessary to pass the bill under such circumstances it would not have been recorded, but in this case it had no effect upon the validity of our action, there being 51 votes without them. Mr. Bardwell had said to the clerk that he was going away and if the vote on the bill was reached that day he wanted to be recorded as voting "yes." This is a common practice, and so far as I know, questioned now for the first time in this State.

Mr. Lakey moved that the resolution do lie on the table.

Which motion did not prevail.

The question being on the adoption of the resolution,

Mr. Lakey demanded the yeas and nays.

The demand was seconded, and the resolution was adopted by yeas and nays as follows:

YEAS.

Mr. Baker, S.,	Mr. Dickson,	Mr. Hosford,	Mr. Rentz,
Baldwin,	Diekema,	Kelley,	Robinson, R.,
Bates,	Dillon,	Linton,	Snow,
Baumgardner,	Douglass,	Manly,	Stuart,
Bentley,	Dunbar,	McGregor,	Tindall,
Burr,	Goodrich,	Ogg,	Watson, F. H.
Cady,	Grenell,	O'Keefe,	Watts,
Cannon,	Hoaglin,	Pardee,	Webber,
Crocker,	Holt,	Powers,	Wellman,
Damon,	Hoobler,	Preston,	Wilson,

NAYS.

Mr. Baker, W. A.	Mr. Jones,	Mr. Oviatt,	Mr. Spencer,
Breen,	Kirby,	Reader,	VanOrthwick,
Chapman,	Lakey,	Rumsey,	Vickary,
Cole,	McCormick,	Simpson,	15

Mr. Hoaglin offered the following :

Resolved, That when this House adjourn to-day, it stand adjourned until Monday, May 16, at 9:15 P. M.,

Which was adopted.

Mr. Hill offered the following:

Resolved, That the sessions of this House shall, hereafter, be held as follows, until otherwise ordered: from 9 to 12 A. M., from 2 to 5 P. M., and on Tuesday, Wednesday and Thursday evenings of each week from 7 to 9 o'clock.

On motion of Mr. McGregor,

The resolution was laid on the table.

Mr. F. H. Watson presented the following telegram :

Grand Rapids, May 13, 1887.

Resolved (By the Michigan division of the travelers' protective association of the U. S. in convention now assembled), That we urge the passage of the bill making the legal rate of railroad fare two cents per mile.

Unanimously adopted.

L. M. MILLS, *Secretary*.

Referred to committee on railroads.

Mr. Chapman moved that it be stated as the sense of the House that during the remainder of the session of this Legislature, preference be given to the various appropriation bills, and that they be placed at the head of the general order.

Which motion prevailed.

By the committee on roads and bridges,

The committee on roads and bridges, to whom was referred,

House bill No. 77, entitled

A bill to create a commission of toll roads and toll bridges, being supplemental to chapter 96 of Howell's annotated statutes compilation of 1882, and to amend section 40 of said chapter 96,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for the supervision of plank gravel and toll roads and toll bridges and to allow such corporations certain rights and privileges,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

JAS W. McCORMICK, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. McCormick,

The House concurred in the adoption of the substitute reported by committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred
House bill No. 626, entitled

A bill to provide for laying out and establishing a State road in the county of Newaygo, commencing at the southwest corner of section 10, in town 14 north, of range 14 east, and running thence east to the village of Diamond Lake, in section 13, town 14 north, of range 13 east, to be known as the Denver and Diamond Lake State road, and making an appropriation of State swamp land therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, entitled

A bill to provide for laying out and establishing a State road in the county of Newaygo and to make an appropriation of one-half a section of State swamp land per mile for constructing and improving the same, and to provide the highway money taxes assessed and levied upon all lands situated within one mile on each side of said road in constructing and improving said road for a period of five years from the passage of this bill and to provide for raising and expending certain necessary funds therefor,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

JAS. W. McCORMICK, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. McCormick,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

House bill No. 193, entitled

A bill making an appropriation of State swamp lands to aid the county of Barry to drain and reclaim certain swamp and overflowed land by opening and deepening Thornapple river near the outlet of Thornapple lake, to authorize a tax to complete the same and provide for such opening and deepening of such outlet,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. D. O'KEEFE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

House bill No. 794, entitled

A bill to provide for an appropriation of State swamp lands to aid in improving the channel of Maple river in the counties of Clinton and Gratiot,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. D. O'KEEFE, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred Senate bill No. 451, entitled

A bill to amend Sec. 8 of act No. 354, session laws of 1869, entitled "An act to incorporate the village of Portland, Iona Co., approved March 13, 1869, as amended by act No. 229, session laws of 1871, approved March 18, 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ERASTUS N. BATES, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

On motion of Mr. W. A. Baker,

Leave of absence was granted to Mr. Pettitt until Wednesday next.

On motion of Mr. W. A. Baker,

Leave of absence was granted to himself until Wednesday next.

On motion of Mr. Hoobler,

Leave of absence was granted to himself until Thursday next.

Mr. Damon moved that the House adjourn.

Which motion prevailed;

And the Speaker declared the House adjourned until Monday, May 16, at 9:15 P. M.

Lansing, Monday, May 16, 1887.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Franklin.

Roll called: quorum present.

Absent without leave: S. Baker, Baldwin, Baumgardner, Beecher, Breen, Brock, Cady, Cannon, Crocker, Cross, Diekema, Dillon, Douglass, Engleman, Harper, Hill, Lakey, Lincoln, Mulvey, Preston, Reader, Rumsey, Snow, Stuart, Tindall, Vickary, F. H. Watson, Watts, Webber, and T. H. Williams.

On motion of Mr. J. W. Robinson,

Leave of absence was granted to Mr. H. Watson indefinitely, on account of sickness in his family.

On motion of Mr. Cole,

Leave of absence was granted to all absentees for the evening.

On motion of Mr. Oviatt,
Leave of absence was granted to Mr. Baumgardner indefinitely.

PRESENTATION OF PETITIONS.

No. 1230. By Mr. Perkins : Petition of James Buckley, Samuel Plamandor, and numerous others of Emmet county praying for the passage of a bill making railroad passenger rates at two cents per mile.

Referred to the committee on railroads.

Mr. Hosford offered the following:

Resolved, By the House (the Senate concurring) that a joint committee of two members of the Senate and three members of the House be appointed to investigate the alleged frauds in the city of Detroit at the late election as set forth in certain affidavits published in the Legislative Journal; that the committee be authorized to sit regardless of the sessions of the Legislature, and to enforce the attendance of witnesses, administer oaths; taking in full the testimony with clerk and stenographer; to open ballot boxes and count ballots cast in such precincts as desired, and report their doings to the Legislature at its earliest convenience.

Pending the order that the resolution lie over one day under the rules, Mr. Hosford moved that the rules be suspended and the resolution be put upon its immediate consideration.

Which motion did not prevail.

The resolution was then laid over one day under the rules.

On motion of Mr. McMillan,

The House adjourned.

Lansing, Tuesday, May 17, 1887.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Beal.

Roll called: quorum present.

Absent without leave: Messrs. S. Baker, Bates, Beecher, Cannon, Crocker, Jones, Mulvey, Reader and Tindall.

On motion of Mr. Oviatt,

Leave of absence was granted to Mr. Reader for the day.

On motion of Mr. Oviatt,

Leave of absence was granted to Mr. Jones indefinitely on account of sickness.

On motion of Mr. McCormick,

Leave of absence was granted to Mr. Bates until Monday next.

On motion of Mr. Bardwell,

Leave of absence was granted to Mr. Beecher until Thursday next.

On motion of Mr. Vickary,

Leave of absence was granted to Mr. Mulvey for the day.

On motion of Mr. Holt,

Leave of absence was granted to Mr. Cannon for the day.

On motion of Mr. Dunbar, leave of absence was granted to Mr. S. Baker indefinitely, on account of sickness.

Mr. Wilson arose to a question of privilege, in that he is recorded as having voted for a certain resolution introduced into the House by Mr. Crocker, on Friday, May 13, relating to the votes of Representatives Bardwell and W. W. Williams, upon the passage of the bill raising the tax on liquor dealers,

The vote was by yeas and nays, and his name (Mr. Wilson's) appears among the yeas, as having voted for the resolution, when in fact he voted "no," against the resolution.

The Speaker announced that the proper entry would be made by the Clerk.

PRESENTATION OF PETITIONS.

No. 1230½. By Mr. Grenell: Petition of citizens of Detroit for the passage of the Grenell election bill.

On demand of Mr. Grenell,

The petition was read at length and spread at large on the journal as follows:

To the Honorable the House of Representatives of the State of Michigan :

We, the undersigned citizens of Detroit, believing that under the present system of voting at elections, the bribery and intimidation of voters in the larger cities of the State has grown to dangerous proportions, and that legislation is needed to secure a secret, free and pure ballot, respectfully urge your honorable body to pass the bill introduced by Representative Grenell, designed to preserve the purity of elections, and known as House bill No. 166.

Referred to the committee on elections.

Also,

No. 1231. Petition of Huron River Assembly K. of L., of Ann Arbor,

No. 1232. Petition of T. V. Powderly Assembly 7606 K. of L., of Detroit,

No. 1233. Petition of Valley City Assembly 3229 K. of L., of Grand Rapids,

No. 1234. Petition of C. Gebhard, W. Wilson and 11 others of Detroit,

No. 1235. Petition of L. A. 2060 K. of L., of Bay City,

No. 1236. Petition of Wendell Phillips Assembly 4293 K. of L. of Detroit,

No. 1237. Petition of St. John's Assembly 6305 K. of L., of St. Johns,

No. 1238. Petition of Protective Assembly 6369 K. of L., of Detroit,

No. 1239. Petition of Benton Harbor Assembly 5561 K. of L., of Benton Harbor,

No. 1240. Petition of Thos. Payne Assembly 8086 K. of L., of Detroit,

No. 1241. Petition of A. B. Cook, H. D. Bailey and 30 other citizens of Northville,

No. 1242. Petition of Chase Assembly 5318 K. of L., of Chase.

No. 1243. Petition of Journeyman Tailors' Benevolent and Protective Union, Grand Rapids.

No. 1244. Petition of D. A. 74, K. of L., of East Saginaw.

No. 1245. Petition of C. A. Crosby, A. J. Bartlett and 40 other citizens of Greenville.

No. 1246. Petition of E. H. Shepard, E. F. Allen, A. E. Martin and 20 others of Boyne.

No. 1247. Petition of Henry George Assembly 2697 K. of L., of Detroit.

No. 1248. Petition of Dexter Assembly 3871 K. of L., of Dexter.

No. 1249. Petition of Robt. N. Adams, S. P. Tracy and 50 other citizens of Sault Ste. Marie.

No. 1250. Petition of Ionia Assembly 3127 K. of L., of Ionia, all on the same subject.

Referred to the committee on elections.

No. 1251. By Mr. Ogg: Petition of citizens of Detroit for the passage of the Ogg convict labor bill.

On demand of Mr. Ogg,

The petition was read at length and spread at large on the journal, as follows:

We, the undersigned, workingmen of the city of Detroit, recognizing the many evils and injustices accruing to free labor from the accursed system of letting by contract the labor of convicts in the prisons of this State, hereby urgently request the Michigan Legislature to pass the measure known as "The Ogg convict labor bill."

Referred to the committee on State prison.

No. 1252. By Mr. Rumsey: Memorial of the Equable Mutual Life of Michigan.

On demand of Mr. Rumsey,

The memorial was read at length and spread at large on the journal, as follows:

EQUABLE MUTUAL LIFE OF MICHIGAN. }
LANSING MAY 12th 1887. }

To the Honorable the Legislature of the State of Michigan:

GENTLEMEN—We as officers of the equable mutual life association, of Lansing Michigan, beg leave to submit the following in reply to the report of the legislative committee appointed to investigate the life insurance companies of this State, which report is found published in the Legislative Journal of April 23, 1887.

The sixteen applications mentioned in said committee's report of our association as having been taken on the lives of different individuals by two persons, who signed all of them as medical examiners, were taken under circumstances well calculated to deceive us, and were fraudulently obtained. This fact soon came to our knowledge, and our secretary immediately thereafter went to St. Johns, where the parties lived, and investigated the matter at his own expense, and the whole of the sixteen policies were immediately cancelled. Your committee was informed of this fact while making their investigation of our affairs, but through inadvertance or otherwise they omitted to state it, and the report, as it now stands in the Legislative Journal, would convey the impression that the fraud was accepted and was yet being carried with our full knowledge and consent, which impression is a manifest injustice to your subscribers.

Also, the average age of members of this association, as given in the table included in said committee's report is more than four years too high, as will be seen by a comparison of the same with our certified report to the State Insurance Commissioner.

Also, that the application mentioned as not being signed was merely a copy used as a memorandum, but the policy was actually issued in place of

one transferred from another company to ours. This explanation would have been cheerfully made to your committee at the time had they asked for it.

E. W. DART, *President*.

C. C. GILMORE, *Secretary*.

Referred to the Committee on Insurance.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE, }
Lansing, May 11, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State:

House bill No. 317, entitled

A bill to detach certain territory from school district Nos. 1 and 2 of the township of Echo, county of Antrim, and to organize the same into a school district to be known and designated as school district No. 5, in said township of Echo.

C. G. LUCE, *Governor*.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }
Lansing, May 12, 1887. }

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State,

House bill No. 659 (file No. 209), being

An act to amend sections 1 and 2 of act 179 of the public acts of 1883, entitled "An act to regulate the width of wagon tires to be used with lumber wagons," approved June 8th, 1883,

Also,

House bill No. 587 (file No. 200), being

An act for the incorporation of companies for the purpose of buying and selling brood animals,

Also,

House bill No. 904, being

An act to amend sections 4, 87 and 215 of act No. 215 session laws of 1859, entitled "An act to incorporate the city of Owosso," approved February 15, 1859, and all subsequent amendments of said sections.

Also,

House bill No. 70, (file No. 119), being

An act authorizing the board of trustees of the northern Michigan asylum for the insane to purchase certain lands for the use and benefit of said asylum, and making an appropriation for the payment thereof,

Also,

House bill No. 446 (file No. 241), being

An act making an appropriation for the current expenses of the Michigan Soldiers' Home, and other expenses necessary to the maintenance and improvement thereof, for the years 1887 and 1888.

C. G. LUCE,
Governor.

The message was laid on the table.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }
Lansing, May 13, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bills No. 212 and 308 (file No. 302), entitled

A bill to provide for the purchase of land and the erection of buildings for the use and benefit of the Michigan Asylum for the Insane at Kalamazoo, and to make payment for the same out of the surplus moneys in the hands of the treasurer of said asylum,

And to inform the House that the Senate has amended the same, as follows, viz. :

1. By striking out of line 3, of section 1, the word "eighteen" and inserting in lieu thereof the word "seventeen ;"

2. By inserting in line 3, of section 1, after the word "land" the words "known as the Hind's farm ;"

3. By striking out of line 3, of section 2, the word "thirty" and inserting in lieu thereof the word "fifty ;"

4. By striking out of line 5 of section 2 the word "eight" and inserting in lieu thereof the word "thirteen,"

5. By striking out all of section 2 after the word "each" in line 6, and inserting in lieu thereof the words "when completely furnished and finished and ready for occupancy."

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Chapman moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day.

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

The House did not concur, a majority of all the members elect not voting therefor by yeas and nays as follows :

YEAS.

Mr. Watson, F. H.,

1

NAYS.

Mr. Abbott,
Allen,
Anderson,
Ashton,
Baldwin,
Bardwell,

Mr. Damon,
Dickson,
Dillon,
Douglass,
Dunbar,
Eldred,

Mr. Lakey,
Lincoln,
Linton,
Makelim,
Manly.
McCormick,

Mr. Rogers,
Rounsville,
Rumsey,
Simpson,
Snow,
Spencer,

Mr. Bettinger,	Mr. Engleman,	Mr. McGregor,	Mr. Stuart,
Bentley,	Goodrich,	Ogg,	Thompson,
Breen,	Haskin,	O'Keefe,	Van Orthwick,
Burr,	Hill,	Oviatt,	Vickary,
Cady,	Holt,	Pardee,	Vroman,
Case,	Hosford,	Perkins,	Watts,
Chamberlain,	Houk,	Pierce,	Webber,
Chapell,	Hunt,	Powers,	Wellman,
Chapman,	Kelly,	Preston,	Williams, T. H.
Cole,	Killean,	Rentz,	Williams, W. W.
Cross,	Kirby,	Robinson R.,	Wilson, 68

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, May 12, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 345 (file No. 194), entitled

A bill to incorporate the public schools of the township of Onota in the county of Alger,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on education.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, May 12, 1887.. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 198, (file No. 332), entitled

A bill to legalize the action of the board of school inspectors of the township of Nottawa, in the county of Isabella, and to establish the boundaries of school district number 2 in said township.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER. }
Lansing, May 16, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 337, entitled

A bill to amend sections 5 and 70 of act No. 346 of the session laws of

1881, entitled "An act to incorporate the city of Bay City," approved March 30, 1881, as amendatory and revisionary thereof.

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,

Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, May 11, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to re-transmit the following bill :

Senate bill No. 177 (file No. 85), entitled,

A bill to provide for the better protection of lives of passengers and employes on railroad trains,

Concerning which there was a disagreement between the two houses and on which a committee of conference was asked and granted, which committee reported as follows :

The conference committee, to whom was referred,

Senate bill No. 177 (file No. 85), entitled

A bill to provide for the better protection of lives of passengers and employes on railroad trains,

Which the House amended, as follows :

1st. By inserting at the end of line 2, section 2, the words "not securely fastened."

2d. By adding at the end of section 2 the following: "*Provided further, That the provisions of this act shall not apply to caboose cars run on any freight train,*"

And in which amendments the Senate non-concurred,

Respectfully report that they have had the bill and amendments under consideration, and have directed us to report the same back to the Senate with the recommendation :

1. That the House do recede from its said amendments; and,

2. That the following substitute be adopted for section 2 of the bill?

SECTION 2. No stove or heater shall be used in any car on which passengers are carried, or in any car which forms a part of a passenger train, unless the same shall be enclosed in a room or closet as provided in section 1 of this act; and the door or other opening of such room or closet, and of such stove or heater shall at all times be kept securely closed. *Provided, That no heater, method or device shall be adopted or used until approved by the commissioner of railroads. And provided further, That the provisions of this act shall not apply to caboose cars run on any freight train.*

H. W. SEYMOUR,

W. A. ATWOOD,

GEO. P. STARK,

Members on the part of the Senate.

HENRY H. HOLT,

JOHN KILLEAN,

E. N. PERKINS,

Members on the part of the House.

And now to inform the House that the Senate has adopted said report by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate

Pending action on the matters contained in the message,

The conference committee, on the part of the House made their report.

The conference committee to whom was referred

Senate bill No. 177 (file No. 85), entitled

A bill to provide for the better protection of lives of passengers and employes on railroad trains,

Concerning which there existed a disagreement between the two houses,

Respectfully report that they have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that the House amendments thereto be non-concurred in, and that the section herewith submitted be substituted for section 2 of said bill, and ask to be discharged from the further consideration of the subject.

SECTION 2. No stove or heater shall be used in any car in which passengers are carried, or in any car which forms a part of a passenger train, unless the same shall be enclosed in a room or closet as provided in section one of this act, and the door or other opening of such room or closet, and of such stove or heater, shall at all times be kept securely closed. *Provided*, That no heater, method or device shall be adopted or used until approved by the commissioner of railroads. *And provided further*, That the provisions of this act shall not apply to caboose cars run on any freight train.

H. W. SEYMOUR,
W. A. ATWOOD,
GEO. P. STARK,

Members on the Part of the Senate.

HENRY H. HOLT,
JOHN KILLEAN,
E. Z. PERKINS,

Members on the Part of the House.

Report accepted and committee discharged.

The question being on concurring in the report made by the conference committee,

On motion of Mr. Holt,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Dillon,	Mr. Kirby,	Mr. Rumsey,
Anderson,	Douglass,	Lakey,	Simpson,
Baldwin,	Dunbar,	Makelim,	Snow,
Bentley,	Eldred,	McCormick,	Spencer,
Breen,	Goodrich,	McGregor,	Stuart,
Burr,	Grenell,	Ogg,	Thompson,
Cady,	Haskin,	O'Keefe,	Van Orthwick,
Case,	Hill,	Oviatt,	Vroman,
Chamberlain,	Hoaglin,	Pardee,	Washburn,

Mr. Chapell,	Mr. Holt,	Mr. Powers,	Mr. Watson, F. H.,
Chapman,	Hosford,	Preston,	Watts,
Cole,	Houk,	Rentz,	Webber,
Cross,	Hunt,	Robinson, J. W.	Wellman,
Damon,	Kelley,	Rogers,	Wilson,
Dickson,	Killean,	Rouns ville,	Speaker,
Diekema,			

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NAYS.

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The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, May 11, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 112 (file No. 146), entitled

A bill to amend act No. 228 of the public acts of 1885, being an act to authorize the board of control of swamp lands to cause the removal of jams for rafts of flood-wood, and to clear out and deepen, where necessary, the channel of Swan Creek, in the county of Midland, and appropriate two sections of land therefor,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was read a first and second time by its title, and referred to the committee on public lands.

The Speaker also announced the following:

SENATE CHAMBER, }
Lansing, May 11, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed to return to the House the following bill:

House bill No. 628 (file No. 350), entitled

A bill to amend sections 1, 2, 4, 5, 21 and 22 of act No. 321, of the session laws of 1873, entitled "An act to authorize a board of public works in and for the city of Grand Rapids," approved March 22, 1873, as amended by the several acts amendatory thereof, and to add to said act a new section to be known and numbered as section 24 of said act,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,
Lansing, May 13, 1887. }

To the Speaker of the House of Representatives:

SIR—I am instructed to return to the House the following bill:

House bill No. 526, entitled

A bill to amend sections 7 and 17 of chapter 8 of act No. 245 of local acts of 1883, entitled "An act to incorporate the city of Escadaba, in the county of Delta," approved March 27, 1883, and to add to chapter 23 of said act 10 new sections to stand as sections 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 of said chapter.

And to inform the House that the Senate has amended the same as follows:

1. By striking out the enacting section 1 and inserting in lieu thereof the following:

SECTION 1. *The People of the State of Michigan enact*, That section 1 of chapter 1, and sections 7 and 17 of chapter 8, of act No. 245 of the local acts of 1883, entitled "An act to incorporate the city of Escanaba, in the county of Delta, approved March 27, 1883, be and the same are hereby amended so as to read as follows, and there shall be and are hereby added to chapter 23 of said act ten new sections, to stand as sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 of said chapter, as follows: "

2. By adding the following to stand as amended section 1:

SECTION 1. *The people of the State of Michigan enact*, That so much of the township of Escanaba, in the county of Delta, and State of Michigan, being formerly the incorporated village of Escanaba, and such other territory as is included in the following descriptions, to wit: All of fractional section 29; all of section 30; all of sections 31 and 32; all in town 39 north, range 22 west; all of fractional sections 6 and 7, in town 38 north, range 22 west; also the east half of secs. 25 and 36, in town 39 north, range 23 west, shall be and the same is hereby set off from the aforesaid township of Escanaba and declared to be and is hereby organized and incorporated into a city by the name of the city of Escanaba. And the said city shall have jurisdiction over the waters adjacent to said city for the distance of one mile from the shore line thereof.

3. By inserting after the word "vote" in the next to the last line of section 7, chapter 8, the word "therefor" and by striking out the words "a majority" in the same line and inserting in lieu thereof the words "two-thirds."

And further to inform the House that the Senate has amended the title to the bill as follows:

By inserting the words "section one of chapter one and" after the word "amend" in line 1.

In the passage of which, as thus amended, and with the title so amended, the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

Pending the order that the message lie over one day under the rules,

Mr. Thompson moved to suspend the rule requiring amendments made to bills by the Senate to be laid over one day,

Which motion prevailed, two-thirds of all the members present voting therefor.

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Thompson,

The House concurred, a majority of all the members elect voting therefor by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Kirby,	Mr. Rumsey,
Allen,	Diekema,	Lakey,	Simpson,
Anderson,	Dillon,	Lincoln,	Snow,
Ashton,	Douglass,	Makelim,	Spencer,
Baldwin,	Dunbar,	Manly,	Stuart,
Bardwell,	Eldred,	McCormick,	Thompson,
Bettinger,	Engleman,	McMillan,	Van Orthwick,
Bentley,	Goodrich,	Ogg,	Vickary,
Breen,	Grenell,	O'Keefe,	Vroman,
Burr,	Haskin,	Oviatt,	Washburn,
Cady,	Hill,	Pierce,	Watson, F. H.,
Case,	Hoaglin,	Powers,	Watts,
Chamberlain,	Holt,	Preston	Webber,
Chapell,	Hosford,	Rentz,	Wellman,
Chapman,	Houk,	Robinson, J. W.	Williams, T. H
Cole,	Hunt,	Robinson, R.,	Williams, W. W
Cross,	Kelley,	Rogers,	Wilson,
Damon,	Killean,	Rounsaville,	Speaker, 72

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }
Lansing, May 17, 1887. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to the House the following bill:

House bill No. 259 entitled,

A bill to authorize the village of St Johns to borrow money for the erection of water works,

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect has ordered the same to take immediate effect.

Very respectfully,

LEWIS M. MILLER,
Secretary of the Senate.

The bill was referred to the committee on engrossment and enrollment for enrollment.

THIRD READING OF BILLS.

House bill No. 287 (file No. 248), entitled

A bill to cede jurisdiction to the United States of America over the lands now occupied and to be occupied in the enlargement and improvement of the "Lake Superior Ship Canal Railway and Iron Company" and "The Portage Lake and River Improvement Company," Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dickson,	Mr. Kirby,	Mr. Robinson, J.W
Allen,	Diekema,	Lakey,	Rogers,
Anderson,	Dillon,	Lincoln,	Rounsville.
Ashton,	Douglas	Linton,	Rumsey,
Baldwin,	Dunbar,	Makelim,	Simpson,
Bardwell,	Eldred,	Manly,	Spencer,
Bettinger,	Engleman,	McCormick,	Stuart,
Bentley,	Goodrich,	McGregor,	Thompson,
Breen,	Grenell,	McMillan,	Van Orthwick,
Burr,	Haskin,	Ogg,	Vickary,
Cady,	Hill,	O'Keefe,	Vroman,
Case,	Hoaglin,	Oviatt,	Washburn,
Chamberlain,	Holt,	Pardee,	Webber,
Chapell,	Hosford,	Perkins,	Wellman,
Chapman,	Houk,	Pierce	Williams, W.W
Cole,	Hunt,	Powers,	Wilson,
Cross,	Kelley,	Preston,	Speaker,
Damon,	Killean,	Rentz,	71

NAYS.

Mr. Snow,	Mr. Watson, F. H.	2
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Title agreed to.

House bill No. 871 (file No. 372), entitled

A bill to amend section 8218 of Howell's compilation, being section 6630 of the compiled laws of 1871, as amended by act No. 63, of the session laws of 1883, relative to proceedings by and against public bodies, having certain corporate powers, and by and against officers representing them,

Was read a third time, and pending the taking of the vote on the passage thereof.

Mr. Rentz moved to amend the bill by striking out in line 2, sec. 1, the word "compilation" and inserting the words "annotated statutes" in lieu thereof,

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Dillon,	Mr. Lakey,	Mr. Rumsey.
Allen,	Douglass,	Lincoln,	Simpson,
Anderson,	Dunbar,	Linton,	Snow,

Mr. Ashton,	Mr. Eldred,	Mr. McCormick,	Mr. Spencer,
Baldwin,	Engleman,	McGregor,	Stuart,
Bardwell,	Goodrich.	McMillan,	Thompson,
Bettinger,	Grenell,	Ogg,	VanOrthwick,
Bentley,	Haskin,	O'Keefe,	Vickary,
Breen,	Hill,	Oviatt,	Vroman,
Burr,	Hoaglin,	Perkins,	Washburn,
Cady,	Holt,	Pierce,	Watson, F. H.
Chamberlain,	Hosford,	Powers,	Watts,
Chapell,	Houk,	Preston,	Webber,
Chapman,	Hunt,	Rentz,	Wellman,
Damon,	Kelley,	Robinson, J. W.	Williams, W. W.
Dickson,	Killean,	Rogers,	Wilson,
Diekema,	Kirby,	Rounsville,	Speaker, 68

NAYS.

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The question being on agreeing to the title,

Mr. Rentz moved to amend the title by striking out the word "compilation" and inserting the words "annotated statutes" in lieu thereof,

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Perkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 314 (file No. 361), entitled

A bill to prevent judges of probate from serving as trustees of any of the asylums of the insane in the State of Michigan,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cole,	Mr. Lakey,	Mr. Rogers,
Allen,	Cross,	McCormick,	Rounsville
Anderson,	Damon,	McGregor,	Rumsey,
Ashton,	Dillon,	McMillan,	Simpson,
Baldwin,	Dunbar,	Ogg,	Spencer,
Bettinger,	Eldred,	O'Keefe,	Stuart,
Bentley,	Engleman,	Pardee,	VanOrthwick,
Breen,	Goodrich,	Perkins,	Vroman,
Burr,	Grenell,	Pierce,	Washburn,
Cady,	Hill,	Powers,	Watson, F. H.
Case,	Hosford,	Preston,	Watts,
Chamberlain,	Kelley,	Rentz,	Speaker,
Chapman,	Kirby,	Robinson, J. W.	51

NAYS.

Mr. Dickson,	Mr. Holt,	Mr. Manley,	Mr. Wellman,
Douglass,	Hunt,	Oviatt,	
Haskin,	Killean,	Vickary,	10

Title agreed to.

House bill No. 174 (file No. 364), entitled

A bill to amend section 7 of article 2 of an act entitled "An act to revise

the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroads and other corporations owning and operating any railroads in this State," approved May 1, 1873, as amended, being compiler's section 3350 of Howell's annotated statutes of the State of Michigan, as amended by act No. 174, of the session laws of 1883.

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Abbot moved to amend the bill by amending section 1 so as to read as follows :

SECTION 1. *The People of the State of Michigan enact*, That section 7 of article 2 of act No. 198 of the session laws of 1873, entitled "An act to revise the laws providing for the incorporation of railroad companies and to regulate the running and management and to fix the duties and liabilities of all railroads and other corporations owning and operating any railroads in this State," approved May 1, 1873, as amended, being compiler's sections 3329 and 3321, and 3350 of Howell's annotated statutes of the State of Michigan, as amended by act No. 174 of the public acts of 1883, approved June 7, 1883, be amended so as to read as follows :

Which motion prevailed, two-thirds of all the members present voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Douglass,	Mr. Linton,	Mr. Simpson,
Allen,	Dunbar,	Manly,	Spencer,
Anderson,	Eldred,	McCormick,	Stuart,
Baldwin,	Engleman,	McMillan,	Thompson,
Bettinger,	Goodrich,	Ogg,	VanOrthwick,
Bentley,	Grenell,	O'Keefe,	Vickary,
Breen,	Haskin,	Oviatt,	Vroman,
Burr,	Hill,	Pardee,	Washburn,
Cady,	Holt,	Perkins,	Watson, F. H.
Case,	Hosford,	Powers,	Watts.
Chamberlain,	Houk,	Rentz,	Webber,
Chapman,	Hunt,	Robinson, J.W.	Wellman,
Cross,	Kelley,	Rogers,	Williams, W.W.
Damon,	Killean,	Rounsville,	Wilson,
Dickson,	Lakey,	Rumsey,	Speaker, 62
Dillon,	Lincoln,		

NAYS.

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The question being on agreeing to the title,

Mr. Abbott moved to amend the title to read as follows :

A bill to amend section 8 of article 2 of act number 198 of the session laws of 1873 entitled "An act to revise the laws providing for the incorporation of railroad companies and to regulate the running and management, and to fix the duties and liabilities of all railroads and other corporations owning and operating any railroads in this State," approved May 1, 1873, as amended, being compiler's sections 3350, of Howell's annotated statutes of the State of Michigan, as amended by act number 174, of the public acts of 1883, approved June 7, 1883.

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Rumsey,

By a vote of two-thirds of all the members elect the bill was ordered to take immediate effect.

House bill No. 26 (file No. 381), entitled

A bill to regulate the uniformity of text books and to provide for free school books in certain cases in public schools throughout the State and the distribution of the same, and to repeal all statutes and acts contravening the provisions of this act,

Was read a third time and pending the taking of the vote on the passage thereof,

On motion of Mr. Manly,

The bill was laid on the table.

Senate bill No. 377 (file No. 120), entitled

A bill to amend sections 107, 109 and 111 of chapter 10 of the compiled laws of 1871, being sections 626, 628 and 630 of Howell's annotated statutes of Michigan, relative to the appointment and qualifications of notaries public and the duties of county clerks relative thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Cross,	Mr. Kirby,	Mr. Rogers,
Allen,	Damon,	Lakey,	Rumsey,
Anderson,	Dickson,	Lincoln,	Simpson,
Ashton,	Diekema,	Manly,	Spencer,
Baldwin,	Douglass,	McCormick,	Stuart,
Bardwell,	Eldred,	McGregor,	Thompson,
Bettinger,	Goodrich,	McMillan,	VanOrthwick,
Bentley,	Haskin,	Ogg,	Vickary,
Breen,	Hill,	O'Keefe,	Washburn,
Burr,	Hoaglin,	Oviatt,	Watson, F. H.,
Cady,	Holt,	Pardee,	Watts,
Case,	Hosford,	Perkins,	Webber,
Chapell,	Hunt,	Powers,	Wellman,
Chapman,	Kelley,	Rentz,	Wilson,
Cole,	Killeen,	Robinson, J. W	Speaker, 60

NAYS.

Mr. Chamberlain,	Mr. Dunbar,	Mr. Vroman,	3
Title agreed to.			

MOTIONS AND RESOLUTIONS.

Mr. Perkins moved to take from the table

House bill No. 797, entitled

A bill to prohibit the fishing with nets in any of the lakes, bays, bayous, harbors, rivers or streams of Muskegon county.

Which motion prevailed.

On motion of Mr. Perkins,

The bill was referred to the committee on fisheries.

Mr. Chapman moved to take from the table

House bill No. 393, entitled

A bill to revise and amend the charter of Hillsdale.

Which motion prevailed.

On motion of Mr. Chapman,

The bill was referred to the committee on municipale corporations.

Mr. Chapman offered the following:

WHEREAS, Martin Crocker, a very honorable member of this body, made the discovery one day last week, that a venerable and ancient document long preserved in the archives of this state, and known as a constitution, contained some specific directions as to the methods of Legislative voting; and

WHEREAS, Said constitutional document, since it has been brought to light, also reveals some other curious and long-forgotten provisions, one of which is as follows: "The compensation of the members of the Legislature shall be three dollars per day for *actual* attendance and when absent on account of sickness;" and

WHEREAS, The record of yesterday and the roll-call of this morning reveals the fact that the Hon. Martin Crocker was and is absent without leave; therefore,

Resolved, That the Speaker of the House be and he is hereby instructed to appoint a committee of three members of the House, who shall be physicians, to immediately proceed to inquire into the illness which detains the Hon. Martin Crocker from his seat on the floor of this House, with authority to hold sessions without reference to the sessions of this body, and authority to enforce the attendance of all the drugs and medical assistance necessary to put that honorable gentleman in attendance upon his duties as member of the House of Representatives and thereby enable him to draw his pay as such.

On motion of Mr. Cole,

The resolution was laid on the table.

Mr. Damon offered the following:

Resolved, That this House hold a session this evening beginning at 7:30 and continuing until 9:30,

Which,

On motion of Mr. Ogg,

Was laid on the table.

UNFINISHED BUSINESS:

Senate amendment to

House bill No. 615 (file No. 279), entitled

A bill to require the Erie and Kalamazoo railroad company to operate and maintain or to abandon its line of road between Palmyra Junction and the city of Adrian,

Which has been reported as follows:

1. By inserting in line 2 of section 1, after the word "company" the words "or any lessee thereof having control of, or operating the Erie & Kalamazoo railroad," and inserting in line 8 of the same section after the word "company" the words "or any lessee thereof;"

2. By inserting in line 1 of section 2, after the word "company" the words "or any lessee thereof;"

2. By striking out section 3 and inserting in lieu thereof the following, to stand as section 3:

SEC. 3. Upon a failure on the part of said Erie & Kalamazoo railroad company, or any lessee thereof, to comply with the terms of this act within the time herein specified, said railroad company shall forfeit the sum of \$100

per day during the time such failure shall continue, to be recovered in an action of trespass on the case in any court of competent jurisdiction. Process may be served on any officer or agent of said company, or the lessee thereof, and when so served shall be a due and sufficient notice.

And further to inform the House that the Senate has amended the title to the bill as follows:

By inserting after the word "company" the words "or any lessee thereof, having control of or operating the Erie and Kalamazoo railroad."

The question being on concurring in the amendments made by the Senate to the bill,

On motion of Mr. Cole,

The House concurred, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Abbott,	Mr. Damon,	Mr. Killean,	Mr. Robinson, J. W.
Allen,	Dickson,	Kirby,	Rogers,
Anderson,	Diekema,	Lakey,	Rounsville,
Ashton,	Douglass,	Lincoln	Rumsey,
Baldwin,	Dunbar,	Linton,	Simpson,
Bardwell,	Eldred,	Makelim,	Stuart,
Bettinger,	Engleman,	Manly,	Thompson,
Bentley,	Goodrich,	McCormick,	Van Orthwick,
Breen,	Grenell,	McGregor,	Vickary,
Burr,	Haskin,	Mc Millan,	Washburn,
Cady,	Hill,	Ogg,	Watson, F. H.,
Case,	Hoaglin,	O'Keefe,	Watts,
Chamberlain,	Holt,	Oviatt,	Webber,
Chapell,	Hoeford,	Pardee,	Wellman,
Chapman,	Houk,	Perkins,	Wilson,
Cole,	Hunt,	Powers,	Speaker,
Cross,	Kelley,	Rentz,	67

NAYS.

Mr. Spencer,

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The question then being on concurring in the amendment made by the Senate to the title of the bill,

The House concurred.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

Also the following:

Resolved, By the House (the Senate concurring) that a joint committee of two members of the Senate and three members of the House be appointed to investigate the alleged frauds in the city of Detroit at the late election as set forth in certain affidavits published in the Legislative Journal; that the committee be authorized to sit regardless of the sessions of the Legislature, and to enforce the attendance of witnesses, administer oaths; taking in full the testimony with clerk and stenographer; to open ballot boxes and count ballots cast in such precincts as desired, and report their doings to the Legislature at its earliest convenience.

For which

Mr. Oviatt offered the following substitute:

WHEREAS, Certain grave charges of intimidation and fraud are made and of record in our Journals in connection with the vote on the constitutional amendment as to prohibition in the city of Detroit; and

WHEREAS, Notwithstanding the lateness in the session, and the extent of the vote covered by such charges, the magnitude of the charges themselves seem to demand that they should have proper consideration at the hands of some authority fully competent to consider them, and report to this Legislature their recommendations in the matter; therefore

Resolved (the Senate concurring), That the judiciary committees of the Senate and House be and they are hereby authorized, acting jointly, to take the matters relating to intimidation, fraud or irregularities in the city of Detroit, or elsewhere, in connection with the late vote upon the prohibitory amendment under advisement, and report their recommendations to this Legislature

Which was agreed to.

The resolution as amended by the substitute was then adopted.

Mr. F. H. Watson moved to take from the table the following resolution:

Resolved, That the sum of \$150, fifty dollars each for the three attorneys be and is hereby appropriated for the purpose of paying Representative Dakin's counsel in defending him from the charges preferred against him for misfeasance, malfeasance, or venal or corrupt conduct in office; the said sum of fifty dollars each to be in lieu of all claims or demands the said attorneys have on Milo H. Dakin,

Which motion prevailed.

The question being on the adoption of the resolution.

Mr. Grenell demanded the yeas and nays.

The demand was seconded, and the resolution was adopted by yeas and nays, as follows:

YEAS.

Mr. Allen,	Mr. Engleman,	Mr. Manly,	Mr. Snow,
Baldwin,	Goodrich,	Ogg,	Stuart,
Bettinger,	Grenell,	O'Keefe,	Thompson,
Bentley,	Holt,	Oviatt,	Vickary,
Breen,	Hosford,	Perkins,	Washburn,
Chamberlain,	Kelley,	Powers,	Watson F. H.,
Chapell,	Kirby,	Preston,	Wellman,
Cross,	Lincoln,	Robinson, J. W.	Williams, W. W.
Dillon,	Linton,	Rounsaville,	Wilson,
Douglass,	Makelim		88

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Mr. Anderson,	Mr. Dickson,	Mr. Killan	Mr. Simpson,
Ashton,	Diekenia,	McCormick,	Spencer,
Bardwell,	Dunbar,	McGregor,	VanOrthwick,
Burr,	Eldred,	McMillan,	Vroman,
Cady,	Haskin,	Pardee,	Watts,
Case,	Hill,	Pierce,	Williams, T. H.
Chapman,	Hoaglin,	Rentz,	Webber,
Cole,	Houk,	Rogers,	Speaker,
Damon,	Hunt,		34

On motion of Mr. Oviatt,

The House took a recess until 2 o'clock this afternoon.

